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RECORDS AND FILES
OF THE
QUARTERLY COURTS
OF
ESSEX COUNTY
MASSACHUSETTS

VOLUME VII

1678-1680

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RECORDS AND FILES OF THE QUARTERLY COURTS OF ESSEX COUNTY, MASSACHUSETTS.

COURT HELD AT SALEM, JUNE 25, 1678.

Judges: The Worshipfull Samll. Symonds, Esqr., Dep. Govr., Maj. Genll. Daniell Denison and Maj. Wm. Hathorne.

Jury of trials: Corporall John Putnam, Mr. Timothy Lindall, Mr. John Ruck, Mr. Daniel Epps, Mr. Thomas Gardner, Ma[na]sses Maston, Edward Grove, Eleazer Giles, Richard Hutten, Nathaniell Stone, Sergt. Wm. Basset, John Peerson, William Seargeant, Mr. Samll. Gardner, jr., and Capt. Jonathan Poole in Mr. Endecot's action.

From the files of the Salem Commissioners' court, 5 : 12 : 1677, at Salem:

John Glover was fined for excess in drinking and for lying in saying that William Dounton was maintained by the town to lie and that he had 50s. per year, and was ordered to acknowledge that he spoke slanderously and falsely. Summons for his appearance, 4 : 12 : 1677, was signed by Bartho. Gedney,* commissioner. Will. Dounton, aged about forty-seven years, testified that he being at Mr. Abraham Cole's house saw Glover drunk there and in the evening without any provocation began to speak about the rates, saying that they were made to maintain him. Sworn in court. Abra'm Cole, aged about forty years, testified that Glover intended to go to work in the morning, but went to the ordinary and came back disordered with drink.

Briant Daw, for being drunk and owning it, and upon testimony of Natha. Beadle, constable, that he saw the head of a man lying upon the snow, whom afterward Mr. Gardner told him was his man Briant, was fined. Warrant, dated 4 : 12 : 1677, to constable Nathaniell Beadle for apprehension of Brian Daw, Mr. Samuell Gardner's Irishman, and to Lt. Thomas Gardner and Elizabeth, daughter of Mr. Samull. Gardner, as witnesses, signed by Bartho. Gedney,* commissioner.

Hana, wife of John Mason, was fined or to be whipped for drunkenness, and abusing by words and offering to strike Hen. West, a tithingman. Richard West deposed that he heard an outcry at Mason's house, "the Rogue will Kill me," and going in found it was John Meckene who was much in drink. Peeter Joy was there and Goody Mason, all drunk, and Joy, after the uproar, owned that he struck Mekene twice. Henry West testified that Mr. Samuell Gardner came along looking for his man and they went in together, whereupon Goody Mason tried to strike him with an andiron, calling "thou West, thou Harry, thou Deuill," several times. Someone took the andiron away from her and then she took up a chair. She was very much in drink, not being able to stand upon her legs, but fell down. Mackene and one Humphry Williams were also observed to be much in drink. Urged by Mr. Gardner to do his duty as tithingman, deponent requested assistance of Joy, as he appeared to be the soberest, but he refused. Sworn in court. Constable Samuell Beadle, Jon. Cook and Walter Skinner deposed that they saw John Makene drunk that day. Goody Mason's bill of cost. John Bly mentioned.

* Autograph.

Hugh Joanes, agent or attorney to the proprietors of the North field in Salem v. John Pudney. Appeal from the judgment of the Worshipfull Maj. Wm. Hathorne, Esq. Verdict for plaintiff, the reversion of the former judgment.*

*Writ: Hugh Jones, agent or attorney in behalf of the proprietors of the North field; for not making up his part of the general fence; dated 10 : 2 : 1678; signed by Hiliard Veren, for the court; and served by Wm. Curtis, constable of Salem. Copy made by Wm. Hathorne,† assistant.

At a general meeting of the proprietors of the North field belonging to Salem, the following orders were voted on Mar. 1, 1677-8: "Inprimis, that y^e generall fences belonging to each proprietor shal be suficiently made upp by y^e 20th day of this instant month upon y^e penaltie of 12s. p diem for all such as shall be defective in this order. Item. That all those y^t shall be defective & absent from y^e publick of ye aforesd proprietors & doe not apeare at ye place appointed at 10 of ye clock in y^e morneing at m^r Geedneys house being ye place appointed for this yeare shall pay eightene pence for ye use of ye sd company. Item. That Hugh Jones is hereby appointed & Impowered to aske, demand, sue for Levy & recouer all ye fines & penalties for breach of any of y^e orders, made for y^e yeare ensueing & make returne therof to ye proprietors at their next meeting. Nath. Felton, clericus." Copy made by Wm. Hathorne.†

Hugh Jones' bill of cost, 12s.

Nathaniell Felton, clericus, certified that John Putney's five poles of fence belonging to his ten acres of land laid out by the committee appointed for regulating the general fences of the North fields, were laid out three poles below the pound & two poles above the pound. Copy made by Wm. Hathorne,† assistant.

Peeter Joy, for refusing to assist Hen. West, tythingman, for drinking, and striking Mackene, was fined, which Mr. Hasket was to pay.

Humfry Williams, for excess in drink, was fined.

Writ: Robert Cannon v. John Hunniwell. Unjust molestation. For arresting or attaching his necessary bedding and clothes under pretence of law, for security of a debt due; dated 26 : 11 : 1677; signed by Hilliard Veren,† for the court; and served by Henry Skerry,† marshal of Salem.

Hugh Glanfeild, presenting an acknowledgment for wickedly and falsely slandering Mrs. Elizabeth Hamons, was ordered to make this acknowledgment after lecture on the next lecture day at Marblehead in the audience of the people or to be whipped ten stripes at Salem the next lecture day. Elizabeth Hamans petitioned to the commissioners that she "hath beene a long time in Captivitie and hath lost a considerable estate by y^e Indians, And in your petitioners absence and captivity . . . was much wronged by one Hugh Glanfeild, in seuerall untruths by him reported against her, weh Did hinder your petitioner from y^e charitable beneuolence of many Christian people."

† Autograph.

Jeremiah Neale and Edward Flint, attorney of Jonathan Hart v. Richard Rowland. Appeal from the commissioners' court of Salem. Verdict for plaintiff, the reversion of the former judgment.*

"Att a generall meeting of y^e proprietors of ye North feild, March 1, 1677-8, belonging to Salem, M^r Samuell Gardner sen^r & Leut. Neale were chosen Surveyers of ye Generall fences of ye sd field this insueing yeare." Nathaniell Felton, clericus. Copy made by Wm. Hathorne,† assistant.

Copy of the judgment of Wm. Hathorne,† 15 : 2 : 1678, in this action, in which Hugh Jones appealed, with Samuell Gardner, sr. and Jeremiah Nell as sureties.

At a general meeting of the proprietors of the North field, on 1 : 1 : 1677-8, it was voted "That Samuell Gardner, sen: & Bartholmew Geedney, Leut. Jeremiah Neale, Wm. Traske, Isaak Cooke & Nathaniell Felton are chosen a comitee for ye regulating of y^e Gen^l fences belonging to ye North feild (viz) to lay out 5 poole of fenc to euery ten acres of Land, wher-soeuer they doe find any land wth in ye sd feild, whereunto there is no fence belonging, they are impowred to dispose of y^e sd land relating to fences for ye benefit of ye sd feild & what else they shall see needfull for ye well regulating of ye sd feild, Aprill 13, 1678." Nathaniell Felton, clericus. Copy made by Wm. Hathorne,† assistant.

Bill of cost of John Putney, 2s. 6d.

Reasons of appeal of Hugh (his mark) Jones.

John Pudny's† answer to Hugh Jones' reasons of appeal.

Samuell Gardner, sr.,† and Jeremiah Neale† certified, Mar. 29, 1678, that they were appointed a committee by the proprietors of the North field to survey the general fences and they found those of the following defective: John Felton, Joseph Boyss, Jonathan Neale, John Massey, Thomas Gothwhat, Jo. King, Job Swinerton, John Putney, Josiah Southwick, Jo. Trask, Goodwife Berrey and Thomas Robins. Sworn 15 : 2 : 1678, before Wm. Hathorne,† assistant.

Samuell Gardner, sr. and Jeremiah Neale testified. Sworn 15 : 2 : 1678, before Wm. Hathorne,† assistant.

*Copy of writ: Jonathan Hart of Salem, in behalf of himself and sisters, Elizabeth, Sarah, Deborah and Florence, only children and heirs of John Hart and Florence, his wife, formerly of Marblehead v. Richard Rowland; for possessing and making use of a certain parcel of land which said Hart died possessed of and which was part of the interest he purchased in Mr. Humphries farm, about four or five acres; dated Mar. 18, 1677-8; signed by Hilliard Veren,† for the court; and

† Autograph.

served by Henry Skerry, marshal of Salem. Copy made by Hilliard Veren,* cleric.

Copy of judgment of the Salem Commissioner's Court, for defendant. Plaintiffs appealed, and were bound, with John Cromwell and Thomas Flint, jr., as sureties. Copy made by Hilliard Veren,* cleric.

James Denis and Nathaniell Walton testified that being impowered by Marblehead to examine all persons belonging to the town, as to their right to keep cattle on the farm and common, upon examination of Richard Rowland, sr., he owned that he had the third part of John Hart's land in his possession, which Hart had purchased of Capt. Wm. Hathorne, formerly Mr. Humphryes, as appeared by record in the town book. Sworn, Mar. 18, 1678, before Moses Maverick, commissioner. Copy made by Hilliard Veren,* cleric.

Richard Norman, aged about fifty years, and James Dennis, aged about thirty-five years, deposed. Sworn, 2 : 2 : 1678, in Court of Commissioners. Copy made by Hilliard Veren,* cleric.

Jonathan Hart's bill of cost, 2li. 2s. 11d.

Richard Rowland's bill of cost, 9s.

Copy of Salem county court records, 26 : 4 : 1656, relating to the estate of John Hart, with inventory.

Reasons of appeal of Edward Flint* and Jeremiah Neale,* agents for Jonathan Hart, received 18 : 4 : 1678, by Hilliard Veren,* cleric.

Richard Rowland's* answer to the reasons of appeal: that the land belongs to Capt. Gorg Corwin; that the title was tried at the General Court and confirmed to John Peach, who bought of said Corwin, etc.

Copies of the papers in this action in the Salem Commissioners Court, and Salem county court, 24 : 4 : 1673, made by Hilliard Veren,* cleric.

John Cook and Tho. Flint testified that being at the house of Richard Rowland, sr., the latter denied that he had any of Hart's land, but said he bought a cow's lease of Capt. Corwin on the commons.

Moses Maverick testified that Jonathan Hart, now dwelling in Salem, was the reputed son of John Hart, deceased.

Richard Norman, aged about fifty years, deposed that he was at the dividing of the farm, known as the Plain farm, etc.

Jon. Cooke, aged about thirty years, and Jon. Trask, aged about thirty-five years, testified that they heard Rowland own that he had some of Hart's land and offered forty or fifty shillings in silver for it, if they would not trouble him about it.

Moses Maverick and Thomas Pitman valued land there, on Apr. 2, 1678, at 40s. per acre.

* Autograph.

John Devorix v. Nicholas Merritt, William Charles, James Smith, Richard Rowland, John Peach and Joseph Daliver. Verdict for defendants.*

John Trask and John (his mark) Cooke, on Mar. 26, 1678, appraised the land in controversy at 4li. 15s.

Richard Norman, aged about fifty years, deposed.

Martha Beale, aged about forty years, deposed that Jonathan would have sued in his mother's life time, but she would not let him. Sworn, 25 : 4 : 1673, in court.

Letter of attorney, dated Apr. 11, 1673, given by Jonathan Hart of Salem, to his brothers-in-law, Edward Flint and Jeremiah Neale of Salem. Wit: Mathew Woodwell and John Andrewes. Sworn before Wm. Hathorne.

Mr. George Corwin, Mr. William Browne, Mr. Elzey and some others, the latter making no claim, creditors of the estate of John Hart, on 19 : 10 : 1656, exchanged with the widow for her third part to be taken in movables. Wit: Samuell Maverick and Walter Price. Sworn, 24 : 4 : 1673, in Salem court.

*Writ, dated June 18, 1678, for forfeiture of a bond of arbitration, signed by Hilliard Veren,† for the court, and served by William Woods,† constable of Marblehead, by attachment of the orchard and barn of John Peach, the orchard of Joseph Doliver and the dwelling house of Richard Rowland, leaving a general summons at the latter house, with Henry Skerry,† marshal, as witness.

Joseph Emans swore that he heard Marblehead men say that the fence that Sam. Picke and Waltar Philips swore was insufficient was part of the fence given in in the award. Sworn in court. On the reverse of this paper: Jonathan Brigam, Samuell Russell.

Thomas Pitman, sr., now resident in Marbellhed, testified that he cut and carried away forty-two cords of wood from John Deverix farm, of the fifty which the arbitrators awarded to the commoners of Marblehead. Sworn in court.

Walter Philips and Samuell Picke testified that being desired by the parties to see if the fence were sufficient between Marblehead land and Mr. Devarix land, they found it in many places as good as no fence for a man might drive a cart or ride without any trouble, etc. Sworn in court.

Enoch Larence testified as to the insufficiency of the fence. Sworn in court.

Bond of arbitration, dated Nov. 25, 1670, given by John Legg,† John Copp,† Jeffre (his mark) Griffing,† Samll. Leach,† Nichlas (his mark) Meritt,† Wm. (his mark) Charles,† James Smith,§ John Getol,§ Richard (his mark) Rowland,† John

† Autograph.

‡ Seal.

§ Autograph and seal.

Abraham Perkins v. Theoder Atkinson. Special verdict. If a person owing a sum of money and having paid it, there being a bill out, and the other person refusing to deliver the bill, has a right to sue for it, they found for plaintiff; if not, for defendant. Court found for defendant. Appealed to the next Court of Assistants. Theoder Atkinson and Thomas Savage bound.*

(his mark) Peach, sr.,† Joseph Dallaber,‡ and Tho. (his mark) Pitman,† for the commoners of Marblehead, on one part and John Deverix, yeoman, of Marblehead, on the other part, Mr. Edmond Batter and Mr. William Flynt being arbitrators for the commoners, and the Worshipfull Mr. Wm. Hawthorne and Mr. Will. Browne, sr., for Mr. Deverix.

Award of the arbitrators Wm. Hathorne,§ William Browne,§ Edm. Batter,§ and William Flint:§ "the stone wall betweene Jno. Deverex his farme & the Comons belonging to Marblehead" should be maintained equally by each party. "As in Reference to the way into the Neck of Marblehead the gats & barrs of Jno. Deverexe are to stand unlesse Marblehead doe make another fence to make a lane on the other side as Jno Deverexe hath done one the one side or if marblhead men & Jno Deverexe do agree to make a fence in some Conuient place in the Neck, Jno Deverexe to make his equall pporcon. Jno Deverexe shall giue leaue to the Commoners of Marbleheade to Cutt & cary away fuety Cords of wood to take it as it riseth from of his farme next to the new bridge: without his fence for firing & this to be a full end dated 24-10-1670." Sworn in court.

*Writ, dated Mar. 30, 1678, signed by Robert Lord,§ for the court, and served by Robert Lord,§ marshal of Ipswich. Bond of Samuell Graves§ and Theoder Atkinson.§

Abraham Perkins' bill of cost, 2li. 19s. 6d.

Theodor Atkinson§ certified, 25 : 7 : 1670, that "Nicholas Lissen hath given a bill under his hand for about fifteen thousand foot of boards more or less unto my son Theodor Atkinson, I haveing since made up an account with him & taken another bill under his hand for ye full ballance of my debt the full meaning of this noate is to save the said Nicholas Lissen harmless from the same as witnes my hand, and withall I have ordred the said Nicholas Lissen to pay him any thing if he demand it." Wit: John Robinson§ and John Saunders.§ Acknowledged, June 3, 1678, before John Gillman,§ commissioner.

Nicholas Lesson, aged about sixty years, deposed that about seven years ago Mr. Atkinson came to him at Exeter

† Autograph and seal.

‡ Seal.

§ Autograph.

Mr. William Browne, sr., executor of the will of Samuell Smith v. Capt. Tho. Fiske. Verdict for plaintiff.*

about the bill deponent owed him and he denied that he gave his son power of attorney. Deponent gave him a bill for what was due. Sworn, June 3, 1678, before Samuell Dalton,† commissioner.

Alexander Gordin, aged about forty years, deposed that he was present when the accounting was made. Sworn, June 3, 1678, before Samuell Dalton,† commissioner. Copy made by Samuell Dalton.†

Edward Gove, aged thirty-eight years, deposed that in discourse with Theoder Adkinson, sr., of Bostown, concerning boards paid by Abram Perkins of Ipsweg, he said that he once gave his son power to receive boards for him but afterwards he sent to Major Pike power to revoke it. Sworn, June 19, 1678, before Samll. Dalton,† commissioner.

John Stanyan, aged thirty-six years, testified that he met Mr. Theoder Atkinson, sr., at the ordinary at Hampton, who demanded of him a debt of 12li. in boards due from Abraham Perkins of Ipswich, to be paid by order of Henry Bennitt of Ipswich. Deponent said he would go to Exeter and deliver the boards, which he did, said Atkinson's son Theoder giving him a discharge. Sworn, 18 : 4 : 1678, before Samuell Dalton,† commissioner.

John Foulsham, sr., deposed concerning seeing the letter of attorney. Sworn, Apr. 9, 1678, at Salisbury court. Copy made by Tho. Bradbury,† recorder.

Copies of Salem court files, 30 : 9 : 1677, and 26 : 1 : 1678, made by Robert Lord,† cleric.

Edward Mitchellsonn,† aged seventy-five years, certified, 24 : 4 : 1678, that he saw the letter of attorney which was given to gather up Mr. Atkinson's debts at the eastward, etc. Sworn before Daniel Gookin, sr.,† assistant.

*Writ: Mr. William Browne, sr., of Salem, executor of the will of Mr. Samuell Smith of Wenham, deceased v. Capt. Thomas Fisk; for fencing in about three acres of land lying on the east side of the country road and on the south of Walter Fayerfield's house which land was part of Jams Smith's eighty acres which belonged to said Samuell and his successors, bounded by part of the said land on the east side, with one acre of the eighty acres on the south that Daniell Killam sold to Alixsander Maxey, thereby appropriating it to himself under pretence of a right to it from Daniell Killam, sr., of Ipswich, said Killam pretending it to be part of that farm which was once Mr. Felmingam's; dated June 17, 1678;

† Autograph.

signed by Hilliard Veren*, for the court; and served by Samuell Kiemball,* constable of Wenham.

William Browne's bill of cost, to summons Mathew Edwards at Redden, etc., 2li. 9s. 6d.

Copy from Salem town book of records, made, June 25, 1678, by Jno. Higginson, jr.,* recorder: "23. 2^{mo} 1638, Granted to Sam^l Smith two hundred acres of Land being fifty more added to his former grant, and the former Grant dissanulled."

"4th : 12 : 1638 Granted to James Smith Eighty acres of Land next to M^r Fiske and m^r Smith to be layd out by the Towne."

Roberd Colburn, aged about eighty-six years, testified that a little while before Mr. Samuell Smith of Wenham died "he owned a percell of land to be his land which he proffered to me to the quantity of six or ten Acres lying at the darke ponds: to haue sett an hous upon which land the Contry Road goeth through betwen Goodman Gears hows and water fayerfield hows and Thomas fisks hows stands upon the land that the said Smith proffered me and it was ther aioyning: I doe Judg that goodman geres hows standeth upon the land which m^r smith proffered me and that m^r felmingams bounds were farther westward then that." Sworn, June 21, 1678, before Daniel Denison.*

Copy of deed, dated 16 : 9 : 1640, given by Samuell Smith to John Fairefeild, "a certaine dwelling house & cowhouse, scittuat in Salem, a littell off the great pond, late in the posesion of James Smith, purchased of him by William Fisk & sold by the said William Fisk unto Samuell Smith aforesaid, together with the app'tenances to the said houses; with eightene Acres of upland, lying from the house nigh east downe to the meddowes, & about two pole & an halfe on this side, the dwelling house with free egress & regresse to the spring and next abutting, And a certaine pcell of meddow nigh about 2 acres by computation, abutting upon the fore-said upland westward & upon John Whites land eastward, in consideration of seauen & twenty pounds ten shillings, in hand paid." Wit: John Fisk and William Fiske. Copy made by Hilliard Veren,* clerie.

Lot Killum,* aged about forty years, testified that the farm called Mr. Felmingam's farm which "my father bought of henery Chickerin was bounded at the esttermost corner, the bound standing westward from Thomas Hobs his old hows which stood one the west sid of the country Road and soe my father did hold it and accounted it, and the land that did ly eastward from that was caled by the nam of the long Smiths land." Sworn, 24 : 4 : 1678, before Wm. Hathorne,* assistant.

Alexsander Maxey, aged about forty-five years, testified

* Autograph.

that the pasture or close fenced in on the east side of the country road from Walter Fayerfield's house and nearly north from the acre of land that Daniell Killam sold deponent, was fenced in by Capt. Thomas Fisk about eleven or twelve years since, all of which time he had improved it for corn and mowing ground. It comprised three acres. Sworn in court.

Mathew Edwards, aged about forty-six years, and Walter Fayerfield, aged about forty-seven years, deposed that about thirty-six or thirty-seven years since they went to Wenham to live and lived there about six years upon the land that Samuell Aborne testified was Jams Smith's 80 acres. It was then known to deponents by the name of Jams Smith's land and they understood it was purchased by Mr. Samuell Smith in whose possession it then was and had been in the hands of his successors ever since, except 10 acres which Jams Smith was said to have given to Samll. Aborn and what had been lost by encroachments on Samll. Smith's land. Jams Smith's land bounded westward upon Mr. Felmingam's land, southward on Samuell Smith's farm of 200 acres, and northward "was alittell Runn soe far as untill it Cam ner to that which was caled the new highway and in all which tim the bound at the eastermost corner of said felmingams farm which we almost dayly saw was a stak that stood ner south west from a slaggy pond caled the dark pond and ner west from thomas hobbs his ould hows and from the stak to the Road that was east from it: it was about 12 poul and from wher the Road now goeth it was about 16 poul and the line did Run ner south west from the said stak ouer the hill wher on good man Huttens hous standeth and ner to the said hows and that the land in contreuercy lyeing on the east sid of the Country Road was part of the said Jams Smiths 80 Akors which was pirched land possessed by said Samuell Smith and his sucseors." Sworn in court.

Walter Fayerfield, aged about forty-six years, deposed.

Samuell Aborne, aged about sixty-eight years, deposed that about thirty-seven years since he lived at Wenham on a parcel of land that his father-in-law Jams Smith gave him, which was a portion of the four-score acres of land granted him by the town of Salem, which 80 acres were bounded upon Mr. Samuell Smith's farm on the south and Mr. Felmingam's farm on the west. Deponent's land was bounded by a little brook that ran down toward the river eastward, and John Ston's land lay on the other side of the brook next adjoining, "and the land betwen my hows wher I liued and the pastur or land now in controversy westward from my hous was my said fathers land owned and posed by him and the said land in controversy which thomas fisk told me that he had bought (and i understand of daniell Killam) lieing one the east sid of the country Road and southward of Walter fayer-

Mr. Zarubabell Endecott, heir and administrator of the estate of John Endecot, Esq. v. Frances Nursse. Defendant owned that he cut wood upon his land he bought of Mr. Allen, which Mr. Endecot laid claim to and that he carried away the wood. Verdict for plaintiff. Appealed to the next Court of Assistants. Frances Nurse bound with Mr. Richard Calicot and Nathaniell Putnam as sureties.*

fields hows was also part of my said fathers land and part of his four score Akers of Land which was giuen him by Salem owned and posed by him and that my said fathers land did goe ouer the country hy way that now goeth towards Ipswich & farther westward toward the old foot path for many poulcs according to my best Remembranc and Judgment before it cam to the said fclmengams lyne." Sworn in court.

*Writ: Mr. Zarobable Endicot, administrator of the estate of Governor John Endocot, deceased; trespass, for coming upon the plaintiff's land, cutting wood, carrying it away and laying claim to said land; dated June 18, 1678; signed by Hilliard Veren,† for the court; and served by Henry Skerry,† deputy marshal of Salem, by attachment of a mare and a pair of draft wheels for timber, a good chest and a long joined table belonging to defendant.

Mr. Zerubabol Endecot's bill of cost, 3li. 1s. 8d.

Copy of Salem town records, made June 7, 1678, by John Higginson,† recorder to the selectmen: "11 : of the 11^{mo}. 1635 Granted by the freemen of Salem the day & yeare aboue written unto m^r Townsend Bishop of the same his heires and assignes for Euer one farme containing three hundred acres, butting upon m^r Endicots farme on the east and foure hundred pooles in length & six scoare poole in Breadth that is to Say six score & foure at the west end and one hundred and sixteen at the east End, bounded by the water betwene the farme of the executors of M^r Skelton and him at the north east Corner of his farme, and hath there allowed from m^r Endicots farme eight acres for an highway is bounded againe at the southwest corner by the brooke, prouided alwayss that in Case of Sale the towne of Salem to haue the first profer of that before any other. Jno. Endicot, Tho. Gardner, Roger Conant, Jeffery Massey, Edmond Batter."

Wm. Hathorne, sr., testified that some few years since when Capt. Fiske ran the end line it took about fifteen acres of land below the swamp "w^{ch} land mr Endecott & his mother did moue y^t they might haue itt by exchange wch m^r Alin consented to for so much in an other place & left it to me to deluer to them for so much in an other place. M^r Endecott

† Autograph.

said since he sett upp his fence about y^e swamp, y^t there was about 40 acres of m^r Alins land wth in that fence." Sworn in court.

Copy of Salem court files of 30 : 4 : 1674, made by Hilliard Veren,* cleric.

Samuell Corning, sr., aged about sixty-two years, testified that he was at the laying out of Mr. Townson Beshopp's farm about forty-two years ago and it was bounded "at the north east corner vpon m^r skeltones fairme by crane reuer and bounded agentt to the honered gouerners m^r Eindicut on ye east neare vnto epsige hye way that then was and as for ye playne that is sposed to be part of the afore say fairme which ly at ye west end of ye fairme I doe not remember that euer I saw it befoer this last spring I being desiered by m^r allen to giue the best light I could of ye bounes of the afore sayd fairme. I allso being at the measouering and deliuerrey of the say fairme to franses nurse by m^r allen and I found and the rest of the naybors that were thear present that acording to the demensones of the say fairm in the towne buke that the entrey and the bouns did verrey near agree which did mor confarme me in my thoughts." Sworn in court.

John Pickering and John Hathorne testified that on Feb. 4 "Wee ware then vpon Some Occation Up aboute Salem Farmes; and ware then Shewed a maple Tree (as wee & others guded itt) which Tree was Marked as ordinarye Bound Trees are marked amongsts us & to us Seemed to bee an Antient Bound itt stood a little to the Northward of a brooke w^{ch} Runns through part of a Farme knowne by the Name of Chickerings Farme which beforesaid Marked tree m^r Zerubabell Endicott who was then present with vs, did owne before us & severall others to bee one of the Corner Bounds of m^r Chickerings Farme & this Bound is Accounted the Southwest Bound." Sworn in court.

Nathaniell Putnam, Job Swinerton and Joseph Houlton testified that more than twenty years since "william Mapes y^t formerlye Liued with m^r Townsend Bishop shewed vs some bound trees, which he tould us was the bounds of m^r Bishops farme as hee being at the Laying it out at the Northest Corner, a black oake marked verrey neare the water, between the pine tree, & the great hollow which tree is Lately felled, & barked, yet the marks still remaine, alsoe a bound at the North west Corner, being an Aspe marked, & still standing & this said Aspe tree wee haue knowne to bee the reputed bound aboute two & three & twentye yeares." Sworn in court.

Israel Porter, aged thirty years, deposed that "M^r Endicott & his Father being about to sett up a saw mill at crane River, his Father desired m^r Endicott to speake with Nathaniell

* Autograph.

Putnam to give them liberty to drown his land by making use of the saw mill, after some time, M^r Endecott told his Father he had beene with Nathaniell Putnam, and he had given them leave to drowne his land, also this deponent was with m^r Endicott to speake with Nathaniell Putnam about the same thing and this was as I understood as he was a possessor of this land or the greatest part of it, and this is the land now in controversie. . . . as long as I can remember, the hemlock tree by the saw mill was accounted m^r Bishops bound & I never knew any other." Sworn before Wm. Hathorn, assistant. Copy made by Robert Lord,* cleric.

Nathaniell Putnam, aged fifty-seven years, testified that "I haue posed a parsell of land upon the north sid of the farme formerly granted to m^r townson bishop more than thirty yeres in which tim I hau mad three agrements of the bownes betwen us with the then poseres as with m^r endecutt esquier abought twenty fife yeres since and with zarubabel Eindecut attorney to John Eindecut abought seuentine or eighteen yeares since and m^r allen verely latly all which agree-mente were mad from a pine or a hemlock tree at crane reuer by the saw mill and so upon a line to ye nor west corner bounes hauing reference to the entrey of mr townsend bishupp farme in the towne buke and frther I being at the deliueray of the farme of mr allene to francis nurse the bounes and the entere of the towne did verely near agree." Sworn in court.

John Putnam, aged about fifty years, testified that "about thurtey fife yeres since I being at M^r Endicotes farme hous went from there to a plase Caled vine Coue and about 30 or forty pole northward from vine Cove and ther was M^r Endecott sen^r and I hard M^r Endecote say to wa[l]tere knight what haue you faled Chickerenes bound tree. no sur that standes there." Sworn in court.

John Porter, sr., aged about seventy-nine years, testified that about thirty years ago he came to live at Salem, and that then and ever since the hemlock tree at the head of Crane river was accounted Mr. Bishop's bound. Sworn, 23 : 9 : 1674, before Wm. Hathorne, assistant. Copy made by Robert Lord,* cleric.

James Allen, aged about forty-five years, deposed. Sworn, June 24, 1678, before Anthony Stoddard,* commissioner.

Robert Sanford, aged about fifty years, deposed that "I hauing a farme at Salem which was townsend Bishops farme part of which farme lay within a fence which Zerubbabell Indicot sett up with leaue on said land as I was informed. And after it was mine John Leach came to me & would haue bought that part of said land which was within y^e said fence of the aforesaid Indicot upon which the same Zerobabell

* Autograph.

Indicot came to me at Boston and did earnestly intreat me not to put it away from him the said Indicot, but that I would sell it him the land to be valued by two indifferent persons and he would pay me in land in y^e plaine where I should chuse it & herevnto I agreed & accordingly when I was on saile did reseive the said land for y^e said Indicot vntill he refused to stand to his agreement then I sold the whole unto m^r James Allen of Boston." Sworn, June 21, 1678, before James Browne,* assistant.

Robert Sanford* certified, dated Swansy, Mar. 3, 1678-9, that "I hauinge conference with Nathaniel Putnam about his intruding on my land, and among other discourse he told me it would be better for me to let him haue that and I should get more on the other side in the room of it to which I said I must not giue away my land to him to take away another mans land I did desire nothing but my owne there was diuers things else w^{ch} I did betrust several of the Church of Salem with to deale with him about a lookeing at that the way to haue recouered him from his extravagancy in words and actions it hath not ben wel it has ben so much neglected but wel that it is not wholly neglected I pray god it may be managed with such a frame of spirit as become the gospel."

Nathaniel Ingersol, aged about forty-five years, testified that "when his father, Richard Ingersol hired the farme of mr Chickeringe (which farme the sayd Chickeringe had bought of Mr Townsend Bishop:) that when the sayd Chickeringe deliuered the sayd farme and shewed the bounds thereof to my father I this deponent was with him The first bound he shewed vnto him for the upper Corner bounds toward the Northwest was a great white oake standinge neare Job Swinertons house in which he now liueth then he shewed a bound tre unto him neare unto the Crotch of the brooke for the other Corner bounds upon the Northerly side of the farme, the next bound tre he shewed was a hemlock tree standing neare the Cuntry Road lyinge ouer Crane Riuer, and from thence he went and shewed us a Red or blacke oake now standinge in the playne, If not lately cut downe and shewed him that for a tre Ranginge in the southerly line of the farme, from the hemlock tre to the upper Corner bounds by the myrie Swamp: and from thence he went to the side of the swamp where the wolf pits now ar, and told my father the bounds went higher up, and afterward my father shewed me that bound tre. further this deponent sayth that Gouverneur Endecot owned the hemlock tre & the oake upon the playne to be the bounds betwixt his land and the land of the sayd Chickeringe, these bounds shewed vnto my father by Chickeringe to be the bounds betweene Goue^r Endecot and the

* Autograph.

said Chickeringe were owned and accepted of to be the Bounds betweene the sayd Gov^r Endecot and the sayd Chickeringe . . . thirtie yeares since Gou^r Endecot or his order did Cut wood and Tymber in that Swamp or playne near Ipswichs Road which is the land now in Controversie . . . also when his father had fenced in a parcel of land neare about where the wolfe pits now ar the sayd Gou^r Endecot came to my father where we were at plow and sayd to my father he had fenced in some of the sayd Gou^r Endecots land. my father Replyd then he would Remoue his fence No sayd Gou^r Endecot let it stand and when you set up a new fence we wil settle in the bounds." Sworn, June 25, 1678, before William Browne,* commissioner.

George Ingersol, aged about sixty-one years, testified that "about thirtie fue yeares since this deponent liuinge a partner with his father Richd. Ingersol upon the farme that the sayd Richd. Ingersol hired of M^r Chickeringe w^{ch} the sayd Chickeringe had bought of Mr. Townsend Bishop This deponent being to set up fence upon the sayd farme was shewed the line of the sayd farme Runninge betweene the land of Gou^r Endecot & the sayd Chickerings farme both by Gou^r Endecot & my father that so I might not trespasse upon the land of Gou^r Endecot which line began at the hemlock tre & so to a Red or blacke oake upon the playne & so about 30 or 40 poole Ranginge by a valley on the southerlie side of the house now standing upon the sayd farme But for the upper Corner boundes I neuer saw but this I doe testefy that all the rest of the playne bounded with a swamp & so the swamp now in Controversy with all the land betweene the sayd swamp and the Dwelling house of Gouer Endecot was then owned by the sayd Gou^r Endecot & quietly possest as part of his farme Called orchard and this seuerall yeares before the sayd Gou^r Endecot was possest of the sayd Chickerings farme." Sworn, June 25, 1678, before William Browne,* commissioner.

John Ingersol, aged about fifty-five years, deposed that "about thirty-five years since I this deponent lived upon the farme w^{ch} was hired of Mr Chickeringe by my father Richard Ingersol . . . This deponent was partner with his father in the hire of the sayd farme . . . all the land from the line aforesayd and within the playne comonly calld the Gouvernours playne and so bounded by the brooke and the salt water was Reputed to belong to Gou^r Endecot as part of his farme Cald orchard." Sworn, June 25, 1678, before William Browne,* commissioner.

Benjamin Skarlet, aged about fifty-four years, deposed that "at his Cominge into this Country which was in the yeare 1635 was by his mother bound as an apprentice to Gou^r Ende-

* Autograph.

cot & from that tyme until now || 2 years excepted || haue liued eyther with him or upon a peice of his land adioying to his farme, (w^{ch} he gaue vnto me) || during my life || and by Reason of my so long abode with him am able to testefy in the case now dependinge betweene m^r Zerababel Endecot and Francis Nurse and the testimony which I now giue in is this that the sayd Goue^r Endecot or his assignes haue claymed and possest without molestation the land now in Controversy as a part of his farme Called orchard from the tyme that I first liued with him no man haue molested him til Mr Allen who now doth lay clayme to Chickerings Farme." Sworn, June 25, 1678, before William Browne,* commissioner.

Richard Leach, aged about sixty years, deposed that "about thirty foure yeares since livinge a neighbour to Gou^r Endecots farme doe testefy that the land now in Controverse was claymed by the sayd Gou^r Endecot and none did euer molest him in the quiet possession thereof . . . about twenty yeares since the sayd Gov^r Endecot did grant a Lease of his farme called Orchard unto this deponent and therein did let unto this deponent fve hundred acres of land that quantity of acres belonginge to his farme Called orchard upon the sayd Lease, the land in Controversy beinge a part of the sayd 500 acres (and the tearme of the sayd Lease was for 12 or 13 yeares) I say the land now in Controversy beinge a part of the sayd 500 acres beinge let unto this deponent was Improved by him both by fencinge and otherwise, and I was neuer molested in the quiet possession thereof duringe the tyme of my dwellinge upon the sayd farme." Sworn, June 26, 1678, before William Browne,* commissioner.

Nathaniel Felton, aged sixty-two years, deposed that "haueing had knowledge of the Farme called orchard which was posset by Gou^r Endecott (I haueinge ben a Neighbour thereunto about forty yeares) duringe the tyme of the sayd Gou^r Endecots dwellinge upon the sayd Farme was often Employed and by his order did worke upon the sayd Farme in cuttinge and sawinge of tymber some tymes a month or two together and this about 30 yeares since and can testefy the land in Controversy was claymed & possest by Gou^r Endecot as belonginge to his farme Called orchard . . . when we went out with the Cowkeeper in myreinge tyme we durst not be seen to let our Cattle feed upon the land in Controversy (the sayd Gou^r Endecot hauinge forbad it) the land in Controversy beinge then owned to belong to Gov^r Endecot by all the Neighbour hood and this before he was possest of Chickerings farme . . . he this deponent about twenty yeares since did often read the lease of the sayd Farme called orchard which was granted by the sayd Gou^r Endecot unto Leutenant

* Autograph.

Leach," etc. Sworn, June 25, 1678, before William Browne,* commissioner.

Copy of deed, dated 4 : 8 : 1648, given by Henry Chickering of Dedham, yeoman, to John Endecott of Salem, gentleman, for 160li., "all that farme contayneing Three hundred acres of land or thereabouts which formerly did belong unto Townsend Bishopp of Salem aforesaid since in the hands and possession of Henry Chickering and after him in the tenure & occupation of Richard Ingersoll deceased & in the right of his widow in the late tenner and occupation of John Knight of Newbery, together with the mansion house thereupon built by the said Townsend Bishop, together with all outhouses yards orchards or orchards meadow pasture fences bridges woods or underwoods; "the pay was to be in cattle or English grain at current price to be agreed upon by two indifferent men, one chosen by each party, the corn to be delivered at Salem, and the cattle to be appraised at the farm where they are at Salem and driven half way to Dedham at the charge of John Endecott, within the space of seven years. Wit: Thomas (his mark) Wright, John Endecott, jr., and Zerobabell Endecott. Acknowledged, Jan. 17, 1664, by Henry Chickering, his wife Anne releasing her dower, before Elea. Lusher. Copy made by Robert Howard,* notary public in the Colony of Massachusetts.

"Att a Generall Court held at Boston the 23^d may 1666. In Ans^r to the petition exhibbited to this Court by m^s Elisabeth Endecott the relict of the late honoured Gove^rno^r John Endecott Esq^r deceased and Zerubbabel Endecott their son for settling the estate of the said John Endecott deceased according to an instrument on file wth the reccords of this court to which the hand & seale of the said John Endecott deceased is annexed bearing date may 2^d 1659. After a full hearing of all parties concerned in the sayd estate (i e) the sayd M^s Elisabeth Endecott & hir two sonnes m^r John & m^r Zerabbabell Endecott M^r Jeremiah Houchin being also present in the Court & respectively presenting their plea & evidences in the case. For a Fynall Issue where of This Court doeth Order and Judge meet to declare that the sayd estate shall be divided betweene the abouesayd widdow & hir two sonnns according to the aboue sayd writting on file. Provided allwayes whereas the farme Called Chickering's was by deed of sale or guift made ouer to m^r John Endecott sundry yeares before the date of the aboue sayd Instrument To Haue & to hold the same to him his heires & Assignes for euer anything in the aboue sayd writting that may seeme to Contradict the same not wthstanding. And also whereas there doeth appeare to be lesse provission made for the wife of the aboue named m^r

* Autograph.

John Endecott then may seeme equall or was the reall Intent of the abouesayd John Endecott Esq^r deceased who had during his life speciall favour & respect for her. This Court doeth Order that M^{rs} Elisabeth Endecott the now wife of the aboue named m^r John Endecott in case she shall survive the sayd John her husband shall injoy all that estate of houses & lands mentioned in the aboue sayd Instrument as bequeathed to the sayd John Endecott hir husband during hir naturall life (not suffering any strip or wast to be Comitted on the same) anything conteyned in the aboue named instrument notwithstanding. And this Court doeth also order & declare that whereas the aboue sayd M^{rs} Elisabeth Endecott widdow of the aforesayd John Endecott Esq^r deceased is seized according to the aboue sayd Instrument of the Goods & Chattells of the sayd John Endecott Esq^r hir late husband deceased in case she shall dye seized to the value more then eighty pounds starlyn part there of the same shall be diuided betweene hir sonnes m^r John Endecott & m^r Zerubabell Endecott & the sayd John being the eldest sonn shall haue a double portion thereof Finally this Court doeth Impower the sayd M^{rs} Elisabeth Endecott relict widdow of the aboue named John Endecott Esq^r deceased & sole administratrix on the estate whereof he dyed seized she bringing in a true Inventory thereof to the next Court for the County of Suffolk," etc. Copy made by Edward Rawson,* secretary.

Copy of will of John Endicott, of Boston, "eldest son to the late John Endicott esq^r & late Gouvernor of the Massachusetts Collony being sick of a sore throat & other distempers of Body, dated Jan. 27, 1667, taken from pages 533 and 534 of the first book of records of Suffolk, by Freegrace Bendall,* cler.: "And whereas I forsooke all other women & Joyned my selfe in Mariage unto Elisabeth my deare wife & soe wee twaine became one flesh, and shee haueing alwayes caryed herselfe a Loueing helpfull & paynefull wife unto mee I doe giue & bequeath vnto her my said wife all my whole estate reall & personall, I say I giue & bequeath to my said wife my now dwelling house in Boston Joyning to George Bates on the west with all the yards & Appurtenances thereto belonging. Also I giue & bequeath unto my said wife all lands within the bounds of Salem the whole farme called Chickries farme to her, her heirs & Assignes for Euer."

"Also || I giue || & bequeath unto Elizabeth my said wife all my goods & chattles within & without doors wheresoeuer they shall be found & all other estate that belongs to mee both in reuertion & possession to be disposed of by her for euer. I doe ordayne appoynt & make Elizabeth my wife sole Executrix of this my last will & testament. I make my Father in


* Autograph.

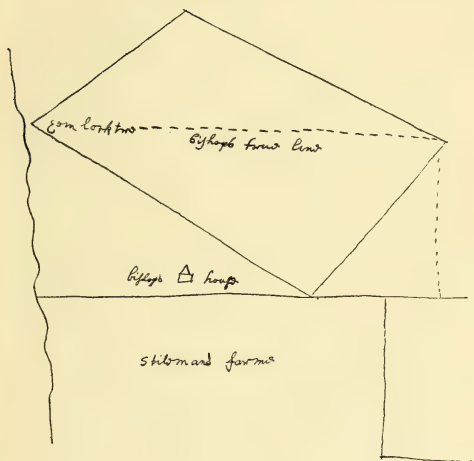
Law M^r Jeremy Houchin & m^r John Saffin ouerseers." Wit: Jeremiah Houchin, Nathaniell Greene, Robt. Bradford and Moses Bradford.

Copy of deed, dated Apr. 29, 1678, given by James Allen of Boston, minister, to Frances Nurse of Salem, yeoman, for 400li., his farm in Salem of 300 acres of upland, bounded "with a hemlock tree, being the noreast corner bounds next farmer porters land neere Crane Riuer, soe caled, & from that hemlock tree, running westward to the bridg upon the brooke, & soe to a white oake tree in a strait line from the brooke aforesaid, a little to y^e westward of the oarchard betweene the land of Joseph Holten & the bargained p^rmisses & from thence to a blacke oake, almost at the corner of the said Holtons feild, upon a strait line from thence to a popler tree, at the northwest corner of the said farme, from thence southward to a maple tree, with a white oak neere it, a name to the brooke at the southwest corner, the bounds being there, the but end of a great old tree, with a stake, standing in it & two smale trees marked neer it, lying a litle to the westward of the old Ipswich Road, being the southeast corner bounds & from thence to the hemlock tree, the northeast corner bounds, & bounded with the lands partly of farmer Porter, partly nathaniell Putnam, partly James Hadlock & partly Joseph Holtons on the north, & the land of the said Holt. to the west, & the lands of m^r Zarubabell Endecott to the east & south, according to Towne grant together with all trees, woods, under woods, meddowes, feedings, pastures," etc. Sarah, his wife, released her dower. Wit: Is. Addington and Eleazer Phillips. Acknowledged by said Mr. James Allen and Sara, his wife, Apr. 29, 1678, before Edward Ting assistant. Recorded, 15 : 3 : 1678, in the records at Salem, book 4, fol. 189, by Hilliard Veren,* recorder, who made the copy.

Plaintiff's plea: "Concerninge the dimensions of Townsend Bishops farme as it is expressed in the Towne Booke of Salem the Honrd Court with the Jury may be pleased to obserue seuerall improper words ar used in the expression thereof by Reason those men who were then the layers out of land were (although playne herted honest men) yet of litle art and skil in mathematical Grammatical or Geometrical Rules and expressions, As in the sayd Grant If the Honrd Court and Jury be pleased to obserue It is sayd in the sayd Grant at the easter end 400 poole in length to speake properly that is not the end but the side of the farme and that which is called an end of the farme is also called a Corner where it is bounded by the water, upon the land of mr Skelton and the word [there] Relates to m^r Endecots farme and not to the end their calld a Corner, M^r Endecot hauinge no Land at least not


* Autograph.

men  Endcotts house



THE NURSE FARM.

eight acres upon that Corner of Bishops farme but it must be allowed by the side line of Bishops farme Bishops Farme and Stilemans farme beinge each of them 300 acres apeice lyinge side by side by each other Stilemans farme in the possession of 4 men, who in their devidinge of the sayd farme each to haue an equal share thereof. In their Runninge the line of the sayd Stilemans farme betweene that farme the sayd Stilemans farme and Bishops farme they began at the white oake neare Job Swinertons now dwelling house, and so upon a strayt line neare unto the Crotch of the brooke the true Northerly line of Bishops farme. These 4 men ar to haue an equal share three of the foure ar Contented wth what is honestly their owne only Nathaniel Putnam who out of a Couetous humor not Careinge how he Ruienes other men thereby to inrich himselfe observeinge some Improper and doubtful expressions in the Recordinge of Bishops farme by his subtlety and Cunnigne Craft hath occasioned much trouble to Courts and molestation to his neighbours

"Beinge of late Notoriously discouered as the late Committee of Salem (who were chosen to finde out what land was belonginge to the towne among the farmes) haue made appeare, his grand designe beinge to Catch what he can &c Further let the Honrd Court with the Jury be pleased to Consider why m^r Allen who by his agent Robt Sanford hath Recouered that tract of land (uniustly Claymed by the sayd Nath Putnam) by vertue of a Judgement granted at a Court of assistants and accordingly had possession of the sayd land giuen by Marshal Micherson as belonginge to Bishop farme, why the sayd m^r Allen should deuide the sayd land betweene him and the sayd Putnam but that he might haue the more plausible Colour to intrench upon the inheretance left me by my Honrd Father accordinge as I haue made it evedently and suffeciently to appeare Further may the Honrd Court wth the Jury be pleased to Consider whether or no Gou^r Endecot when he had the liberty to take up what land he then pleased there beinge two Creeks which haue ben alwayes reputed to be the boundaries of his ancient farme and ar sufficently evidenced so to be that he should suffer any man so to intrench upon him as to deuide or to Cut in two that part of his farme and to make it like unto a kites tayle the like president not being knowne in the Cuntry 

"Further may the honrd Court and Jury be pleased to Consider how strangely mr Allen hath mist it and bene misled in his layinge out of Bishops farme as first to make the hemlock tre his North east Corner bounds for there mr Endecot hath no Land (as hath bene formerly sayd) to allow him eight acres for a highway the other side of the brooke upon that Corner beinge Skeltons land. And Nextly to carry his end

Andrew Peeters v. Samll. Chapman, executor of the will of Edward Chapman. Withdrawn.*

Zachariah Herrick v. William Chubb. Verdict for plaintiff, to be paid in corn, cattle or ten weeks' service.†

line southeast 116 poole upon m^r Endecots land and then to bringe the syde line 400 poole from the maple tre standinge by the myrie swamp to the sayd southeast Corner bounds cometh within a few poles of Guppies ditch neare to mr Endecots house that they thinke intranches too neare upon mr Endecot, and all the Cuntry wil cry shame of it wherefore to salue that they wil Retreate to a supposed Bounds neare Ipswich old way but then they loose neare 40 acres of land and to make up that they must take away a peice of mr Endecots land upon the south side. Both which ar Contradicted by the Record which sayth the south side of Bishops farm next to mr Endecot is 400 pole in length so that it doth evidently appeare that the land caled Conquest land Now shared betweene mr Allen and the sayd Putnam must needs be a part of Bishops farme and the brooke betweene him and Skelton is the true bounds at the easter end betweene the sayd farmes, as hath bene abundantly proued and a Judgement thereof Granted by the Court of Assistants at Boston and possession thereof to mr. Allen deliuered, as hath ben already said.

*Samuell Chapman's bill of cost, 1li. 12s. 3d.

†Writ: Zachariah Herick v. William Chub; for proving unfaithful as a servant, by delaying his return from Hadly after he was dismissed from the country's service, he not returning for eleven weeks which was contrary to indenture; dated June 17, 1678; signed by Sam. Hardie,‡ for the court; and served by John Sampson,‡ constable of Beverly.

Zachary Herricks' bill of cost, 2li. 5s.

Indenture, dated Apr. 25, 1672, between Zachariah Harik,§ and William (his mark) Chubb||; the latter with the consent of his father Thomas Chubb of Beverly, carpenter, apprenticed himself to Zachariah Herricke of Beverly, carpenter, for six years. Wit: Nathaniell Hayward.‡ Owned in court.

Benj. Daland, aged about twenty years, deposed that on Oct. 7, 1676, he with the other soldiers who were in the garrison at Westfeild and those who were in the garrison at Hadly and the other towns, was dismissed. They came toward home and "mett at Squabage the gratest part, and seuerall came a foott and all the souldiers came but a fott pace." Sworn in court.

Thomas Owens, aged about thirty-five years, testified that he was a garrison soldier at Hadly in the company with William Chub, and when they were dismissed, Chubb refused

. ‡ Autograph.

§ Autograph and seal.

|| Seal.

to return and said if he did he would come by water. Sworn in court.

John Daves, aged about twenty-two years, deposed that he was with Chubb at Hadly and when all the company of soldiers was ordered to appear at the headquarters two hours before day, Chubb did not appear. Capt. Swaine inquired for him but he kept out of the way on purpose. Deponent promised him that if he would go home he would help him along with his clothes and would take turns with him riding on deponent's horse, for Chubb was dissatisfied that others could ride, but he had no horse. Sworn in court.

John Kellom, aged about nineteen years, testified that "when Capt. Swayne was Cauld home & his Souldiers wth him from Hadly then wee had orders about twoe houres before day to muster up at the head quorters; then to the best of my Judgementt A post Came up from Boston and as I understood it was to leaue seuerall of Cap^t Swaynes sould's in Garrison Att Hadley; Hattfeild and North Hampton; whereupon Cap^t Swayne spoake to his Souldiers thus or to this purpose Gen^lmen Sould's which of you are Willing to be in the Aboue saide Townes Garrisoned — whereupon seuerall sould's manifested there Redyness to stay butt W^m Chubb was not Willing notwithstanding seuerall sould's did say when Chubb was Absentt hee was Willing to stay in Garrenson butt when hee was Come up to the Cap^t I well Remember W^m Chubb saide to the Cap^t Sir is there noe other to be pickt out to stay but myselfe I being so desierus to goe hom by reason I haue been so long In the searuis and the Cap^t sayde Gentmen its in vayne for Any of you now to speake for you are now appoynted to be in Garyson And I Can not doe other-ways for Now its tooe layte to draw out oathers." Sworn in court.

John Chubb, aged about twenty-four or five years, deposed that when his brother William was in the service of the country he was with him under command of Major Appleton. Late in the fall when Major Appleton was sent for from Hadley, deponent asked to be dismissed, but it was not granted. Then he tried to get his brother William cleared on account of his master and his aged father and mother, but this failed. In the following spring when Major Savage came to Hadley deponent tried again, and could not get William's discharge, but did get his own on account of having sufficient money to hire a man in his place, etc. Sworn in court.

Thomas Chub, aged about twenty-eight years, and John Chub, aged about twenty-four or five years, deposed that the last spring they had heard Zachariah Herrick say that their brother William was as good a condition servant as he could desire in his house and he could find no fault with him. Sworn in court.

Eliza. Price and Capt. John Price, executors of the will of Capt. Walter Price v. Mr. John Wincoll. Verdict for plaintiff.*

Phillip Welch v. John Blany. Debt. Verdict for plaintiff. Besides what has already been paid for sixty-two weeks.†

Philip Whitt, aged about seventeen years, deposed that he heard Chubb say that he returned to his master on Dec. 25. Elisibeth Herrick deposed the same. Sworn in court.

John S—— deposed that Chubb took diligent care to return to his master and travelled on foot from Hadley to Hartford to get passage by water. There being no opportunity at that time he returned to Hadley and went to Hartford a little later and found an opportunity to go home by water. Sworn in court.

John Bill, aged about twenty-four years, deposed that he was a garrison soldier with Chubb at Hadly and heard him say several times that "he had as liue" stay at Hadly as to go home. Sworn in court.

*Writ, dated June 10, 1678, signed by Hilliard Veren,‡ for the court, and served by Daniel Goodwin,‡ constable of Kittery, by attachment of fifty acres of deponent's land in Kittery.

John and Eliza. Price's bill of cost, 2li. 10s. 8d.

Bond, dated July 26, 1671, given by John Wincoll§ of Puscattaque, lately of Watertown, yeoman, to Capt. Walter Price of Salem and Left. Richard Cooke of Boston, merchants, for the yearly payment of 100,000 feet of merchantable pine boards which his brother Mr. Thomas Broughton owed to said Price and Cook as part of a debt of 803li. 19s. 8d., the obligation dated, Boston, Feb. 21, 1662; said Price abating 401li. 19s. 10d., of the foregoing account, and assigning the whole debt to him, and also relinquishing his interest in that engagement to pay boards, dated Mar. 23, 1660-1; Tho. Broughton or John Wincoll were to pay to Walter Price 401li. 19s. 10d., in inch pine boards, full inch thick, at 35s. per M. at Quamphegon at the usual rafting place in the river of Puscattaque. Wit: Elisha Cooke,‡ Elizabeth Shippen‡ and Richard Cooke.‡ Sworn, 14 : 8 : 1671, before Jno. Leverett,‡ Dept. Gov., and Edw. Tyng.‡

‡Writ: Philip Welsh v. Mr. John Blaino; debt, for nursing said Blaino's child at 4s. 6d. per week; dated 17 : 4 : 1678; signed by Tho. Fiske,‡ for the court; and served by Henry Skerry,‡ marshal of Salem, by attachment of land of defendant which the latter owned to be his before John Lewes and his son.

Phillup Wellches bill of cost, 1li. 13s. 8d.

‡ Autograph.

§ Autograph and seal.

Phillip Cromwell v. Mathew Woodwell. Debt. Verdict for plaintiff.*

Henry Skerry, sr.,† and Sarah Riddan† certified that on Saturday, Sept. 15, 1676 Mr. Blanye's child was delivered to Philip Welch's wife to nurse at Mr. Maverick's house and that on Apr. 9, 1678, the child was delivered to said Blanye by Welch's wife, there being present Marshal Skerry, Thomas Rumery and Sarah Raddan in Marblehead at the house of Erosamus James. Owned in court.

"June 22th 1676 Goodwife Pickworth of Marble Head took my Child untill y^e 9th of September From y^e 9th of September untill a weeke before Salem Court last Goodwife Weltch nursed my Chyld then I demaind my Chyld But Could not have it untill after the Court of Assistance which Chyld I rescieved ye 9th of Aprile last For which shee is Dtor." In mony, 4s.; Mar. 21, to 1 1-2 yd. Karsy at 4s. 6d. per yd., 6s. 9d.; mony, 17s.; mony, 5s.; Nov. 8, mony, 3li. 1s.; pd. in wood, 1li. 2s. 6d.; total, 5li. 16s. 3d.

Marke Graves, aged about fifty-five years, and Elisabeth Graves, his wife, aged about thirty-seven years, testified that they heard John Blaino say at Mr. Reddan's house at Marblehead in Sept., 1676, that he had gotten another nurse for his child, namely Philip Welch's wife, and he was to pay her 4s. 6d. per week in money. Sworn, June 24, 1678, before Daniel Denison.†

Abigall Pickworth, aged about thirty years, testified that about Sept. 15, 1676, Mr. John Blanye came to her house, bringing with him Philip Welch's wife, and demanded his child whom she had nursed eleven weeks, for he had gotten another nurse. She delivered the child with the clothes, and Mr. Blanie carried away the woman and child on a horse. Sworn in court.

Elizabeth Humphreys, aged about twenty-three years, testified that she met Welch's wife coming from Mr. Maverick's house with Mr. Blanye, with the child in her arms, having just taken it from Joseph Pickworth's house. Sworn in court.

Abigail Pickworth deposed. Sworn in court.

*Writ, dated May 28, 1678, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem, by attachment of the barn, two bunches of white leather, two rugs, two wool packs, a parcel of gloves, laces and a pair of leather breeches of defendant.

Samuel Aborn, aged about sixty-eight years, deposed that he was with Marshal Skerry when Matthew Woodwell tendered goods at Mr. Phillip Crumwel's shop, etc. Sworn in court.

† Autograph.

John Blany v. Mr. Ralph King. Verdict for defendant.*

Mortgage deed, dated Sept. 10, 1665, given by Matthew Woodwell† of Salem, brickmaker, to John Pickering of Salem, yeoman, his dwelling house in which he now lives, with two acres of land in Salem, bounded by land of Obadiah Antrum on the west, the south river on the south and east and land of John Ruck on the north; also his black cow, twenty cords of wood in the woods; for 50li., to be paid in neat fat cattle and linen and woolen English goods, before Oct. 1, 1669. Wit: Jonathan (his mark) Pickering and Hillyard Veren.‡

Richard Prytherck, aged about thirty-seven years, deposed that he was at Mr. Cromwell's house when Matthew Woodel and his wife came there. Woodwel owned that he was indebted to Cromwell who said if he would pay him in blue linen or merchant's goods that were vendable he would forbear until next May, whereupon Woodwel said he could pay him some at Mr. Jno. Hathorne's, and he did not question but that he could pay some at Mr. Batter's and some at Mr. Lindall's. Mr. Cromwell was willing to accept this provided said Woodwel gave him his bill which he refused to do. Sworn in court.

Rubin Guppy, aged about seventy-three years, deposed that Woodwell said he would pay part at John Hathorne's, and some at Timothy Lindall's. Woodwell tendered Cromwell bricks but the latter would not take them because he did not know what to do with them. Then Woodwell said he could sell them for money and that he would give him the money. Sworn in court.

Henry Skerry, sr., marshal, aged about seventy years, deposed concerning attaching the goods. Woodell chose Samuell Abbourne to appraise them. Sworn in court.

Matthew Woodwell‡ certified that "winne i bee gan too dell with M^r Phillip Crommell my bargin was too paie him for on dossen of shep cens 4 Shillens par cinn and so too begen the yeare too pay him for his cines from shear time on shillen par cinne too milmas and from milmas too crismas too shillens par cinne and from crismos on too shieren againe thee shillens par cinne and this too bee paie forty shillens in monny and the rest too bee paie out of the prodrus of it as it was paie 30 yeare agon from man too man as he shall make youes of it and the monny part bee ing paie a cording ass thhe bockes can make a pare."

*Writ: John Blany v. Ralph King; for withholding a writing from Major Neale to said Blany; dated 14 : 4 : 1678; signed by Hilliard Veren,‡ for the court; and served by Henry Skerry,‡ marshal of Salem, by attachment of land near defendant's house.

· † Autograph and seal.

‡ Autograph.

Maj. Tho. Savage v. Samuel Apleton, jr. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Apleton bound, with Mr. Hen. Bartholmew and Maj. S. Apleton as sureties.*

John Lewis, aged about forty years, and Ezekell Nedham, aged about thirty years, deposed that after Hannah, wife of John Blaine, was dead, said Blaine came to fetch his goods from old Mrs. King's, his mother-in-law, who demanded the writings belonging to her which concerned Major Neall and the estate of Mr. Daniell King, deceased. Blaine returned the papers. Sworn in court.

William Hathorne,† aged about thirty-two years, deposed 12 : 8 : 1678 that being at Linne in Theophilus Baley's house, he read to those present, including Ralph King and Jno. Blanoë, a bond from Major Andrew Neale to Jno. Blanoë, whereby a large sum of money was to be remitted in England, part of the debt being to Major Neale as he was concerned in the estate of one King, etc.

Thomas Farror, aged about sixty-five years, testified concerning the reading of the bond from Major Neale in England, etc. George Darling and Ingrum Moody testified to the same. Sworn in court.

*Writ: Thomas Savage, sr. v. Samuel Apleton, jr., of Linn; for possessing and using his houses, lands and Iron works at Linn, cutting his grass, wood and timber and ruining said Iron works; dated, Boston, June 19, 1678; signed by Ephraim Turnor,† for the court; and served by Eleazer Linse,† constable of Linn.

Samuell Appleton's bill of cost, 1li. 4s. 4d.

Thomas Savage's bill of cost, a voyage to Lin to demand possession, etc., 3li. 3s. 9d.

Bill of sale, dated Feb. 3, 1657, whereas at a special court at Boston, Sept. 14 and 15, 1653, several creditors of the undertakers of the Iron works in New England sued the estate of Mr. John Bex & Co., and recovered judgment of 3,658li. 13s. 4d., in which sum Mr. Henry Webb's bill of 1300li. then brought in signed and allowed by Capt. Robert Bridges and Mr. Joshua Foote, two of the attorneys for the company, was a part, William Paine of Boston, merchant, in consideration of said Webb assigning all his interest in the Lynn and Braintyre Iron works, to him, agreed to pay said Henry Webb† of Boston, merchant, 1,000li. twenty-five tons of merchantable bar iron delivered at Boston in the dock; also to pay in like pay the one-half of what Capt. John Leverett shall have sold the said Iron works for over and above 500li.,

† Autograph.

† Autograph and seal.

in bar iron at 15li. per ton, etc. Wit: Edward Hutchinson* and Edward Rawson.*

Mortgage deed, dated Jan. 20, 1663, given by Jno. Paine† of Boston, merchant, to Samuell Appleton of Ipswich, gentleman, for 1,500li., which was a legacy from his father William Paine, late of Boston, deceased, to the three children of Samuell Appleton, all interest in the Iron works at Lin, under the management of Mr. Olliver Purches, except the wood, coal, ore, cows, pigs, bar iron, cast iron, flumes, scales and weights, etc. Wit: Thomas Danforth,* Joett Tatoomis,* Caleb Chiechehehteumanth* and John Evene.* Acknowledged, Jan. 21, 1663, before Daniel Gookin.* Recorded, Feb. 9, 1663, in the records of lands for Essex at Ipswich, book 2, folio 182-4, by Robert Lord,* recorder.

Copy of the record of the General Court, May 25, 1658, in an action of John Giffard, attorney to Mr. John Beex & Co., of the undertakers of the Iron works v. Capt. Thomas Savage. Henry Webb and Anthony Stoddard mentioned. Copy made by Edward Rawson,* assistant.

Copy of the record of the Salem court, 27 : 4 : 1676, in a similar action, made by Hilliard Veren,* cleric.

Richard Waite, aged sixty years, and Geoarg Halsall, aged forty-three years, deposed concerning delivering the Iron works by execution to Capt. Thomas Savage. Sworn in Boston court, Feb. 4, 1660, and copy made by Edward Rawson,* recorder.

Richd. Waite, aged about sixty years, and Habiah Savage, aged about twenty-two years, deposed that being at Hammer-smith, they heard Mr. Oliver Purchas refuse to give possession of the works to Capt. Thomas Savage, etc. Sworn in Boston court, Feb. 4, 1660, and copy made by Edw. Rawson,* recorder.

Joseph Jenks, sr., Joseph Armitage and Thomas Newall deposed that being desired by Maj. Thomas Savage to appraise the Lynn Iron works when Mr. William Payne took possession and put in Mr. Oliver Purchase as agent, they appraised the forge and furnace at 800li., and for the rent of them 6li. per annum, for the farm, 26li. per annum, for 6 oxen at 11li., the yoke 33li., carts, wheels, etc., 16li. The Iron works was wholly ruined except the dam and water course. Sworn in court.

Copy of record of a special court at Boston, 15 : 7 : 1653, with judgment for Capt. Savage, as plaintiff, and as assignee of Mr. Henry Webb, Mr. Anthony Stodard, Mr. Jacob Sheafe, Mr. Rich. Hutchingson, Mr. George Corwin, Mr. Edward Ting, the executors of Capt Ting, Ralfe Mason, Mr. Joseph Rocke and George Burden. The jury were: Capt. Robt. Keayn, Tho. Clarke, Isack Walker, John Watson, John Davis,

. * Autograph.

† Autograph and seal.

Zacheus Curtice v. Benjamin Thomson. Verdict for defendant.*

Tho. Jones, Nicho. Clap, Robt. Beecke, John Wiswell, Rich. Collocot, Nath. Williams and John Webb. Copy from Mr. Nowell's book of records made by Edw. Rawson,† recorder.

Copy of a record of the General Court, Aug. 30, 1653, granting a special court sitting at Boston to hear the Iron works case, made by Edw. Rawson,† secretary.

Jno. Whipple, sr., and Jno. Brewer, sr., deposed that they went with Major Samll. Appleton to the Linn Iron works when Mr. Purchase gave him possession from Mr. John Payne of Boston, and Purchase said there were no tools or iron there, etc. Sworn, June 24, 1678, before Daniel Denison.†

Joseph Jenkes, sr., aged seventy-six years, and John Jenkes, aged about sixteen years, deposed. Sworn in court.

Joseph Jenks, sr. and Jno. Jenks, aged about seventeen years, deposed that Samll. Apleton, jr., about twelve months since, took out from the great furnace bellows board at Hamersmith about eight large iron bolts weighing about a hundred weight which cost the proprietor of the works 5d. per pound. He also disposed of one bellows pipe, which cost 30s. when new, and upon said Apleton's order about thirty cords of wood had been cut from off the land and disposed of. Sworn in court.

*Writ, dated June 3, 1678, signed by Hilliard Veren,† for the court, and served by Samuell Peniman,† constable of Brantree.

Benjamin Tompson's bill of cost, "for the townes, my patients and schollars sufferance by cessation from both for 8 days," etc., 1li. 12s.

Copy of the record of a County court at Boston, Apr. 30, 1678, in an action of Benjamin Tompson of Brantrey, assignee by deed and proprietor by purchase of the estate of John Godfrey v. Zacheus Curtis, sr., for withholding a debt of 1li. due said Godfrey, with verdict for plaintiff. Copy made by Isa. Addington,† cleric.

John How and John Man deposed that sometime in April last, at Danill Clark's house in Topsfeld, Mr. Benjamin Tomson and Zaches Curtis were discoursing about the bill and Curtis said he had agreed with Godfrey and could bring his proof. Tomson said he was on his way to the eastward and would return by Ipswich on the next Monday, and he would meet him there at twelve o'clock. John, son of Zacheus Curtis, agreed to it and Tomson said if the testimony did not prove good Curtis should send him a cow to Thomas Nuel's at Len. Curtis went to Quartermaster Perkins' house on the

† Autograph.

Ambross Gale v. Abraham Allen. Verdict for plaintiff.*

Ezekiell Needham v. Timothy Wile. Verdict for defendant.†

appointed day and waited from ten o'clock until three, but Tomson did not appear. Sworn, 26 : 4 : 1678, before Edmund Batter,‡ commissioner.

Zaches Curtis, jr., and Ephraim Curtis deposed that John Godfrey came to their father's house some time in 1674 and in consideration of entertainment and other things of which he stood in need, acquitted their father of the debt of eleven pounds, etc. Sworn, Apr. 8, 1678, before Daniel Denison.‡

*Writ: Ambros Gale v. Abraham Allin; debt; for what he paid Mr. William Brown, sr., for said Allin; dated May 2, 1678; signed by Moses Maverick,‡ for the court; and served by William Woods,‡ constable of Marblehead.

William Browne‡ certified, June 27, 1678, that Ambrose Gaile of Marblehead paid to him for Abraham Alline of Marblehead two "chorlder of coles" at 3li. 10s. in 1672. Owned in court.

Ambross Gall's bill of cost, Edward Humphreyes, 1 day, etc., 19s. 6d.

Letter of attorney, dated June 24, 1678, given by Ambross (his mark) Galle§ of Marblehead to his wife Mary Galle. Wit: John Chin‡ and Edw. Humphreys.‡

†Writ: Ezekell Needham v. Timothy Wyle; for taking up a mare of his which he legally bought of Henery Stacey; dated June 19, 1678; signed by John Fuller,‡ for the court; and served by John Browne,‡ constable of Redding, by attachment of land in the orchard adjoining the dwelling house of John and Timothy Willy.

Timothe Wiley's bill of cost, 1li. 6s. 11d.

"Ther wher Sould by Henery Stacy vnto Ezekell Neadham the first of December 1677 A Ronnish Marre with a blaz in her face with the Town brand about seuen years ould; she was vouched by John Daus and Samuell Mansfeeld: and Entred into the tooll book in Lyn the 19 of June 1678." Copy from the "tooll book" in Lyn made by John Fuller,‡ clerk of the writs.

Wm. Clark, aged about seventy years, testified that the mare that Timothy Wily took up at Lin, 15 : 3 : 1678, was the mare he sold to Benjamin Davis of Reading. He knew her because he had raised her and had seen her go by his house many times, etc. John Clarke testified the same. Sworn, 27 : 4 : 1678, before Wm. Hathorne,‡ assistant.

Joseph Mansfield, aged about twenty-two years, and Andrew Townsend, aged about twenty-four years, deposed that asking

‡ Autograph.

§ Seal.

Stephen Haskett v. Robt. Bray. Debt. Verdict for plaintiff.*

Ralph King v. John Blany. Debt. Verdict for plaintiff.†

said Wily what he did with his uncle Ezekiel's mare, etc. Sworn in court.

"Redding : 14 : 3 : 78. To my Unkell William Clarke at Lin or aney that knoweth the Mare that I bought of you thes may certify y^t I have ordered my brother wiley to take up y^e Mare y^t I bought of you witnes my hand Benjamin dauis.†" Wit: Jonathan Poole.†

*Writ, dated 19 : 4 : 1678, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem, by attachment of house and land of defendant.

Stephen Haskett's bill of cost, 2li. 5s. 8d.

On 11 : 11 : 1675, Stephen Haskett reckoned with Robert Bray, and there was due 62li. 2s. 7d., which was owned on June 24, 1678, before the Major General. Sworn in court.

Henry Skerry, aged about seventy-five years, testified concerning serving the attachment, and that the wife of Robert Braye, etc. Sworn in court.

Receipt, dated June 21, 1670, given by George Orchard† to Mr. Stephen Heskotte, for 14li. in silver and a bill from Mr. Petter Lidgett drawn on Mr. Nathaniell Fryer in Piscataquey, being in full for the passage of Thomazin, wife of Rob. Bray and Robert and Margette, their son and daughter, in the ship Happy Returne of Plymouth, Geo. Orchard, master, from Plymouth in old England to Boston in New England.

†Writ, dated 10 : 2 : 1678, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem by attachment of two shillings of Blaney's money after delivering it to Edmund Bridges, and also land of said Blaney's.

Ralph King's bills of cost, 2li. 7s. 6d. and 1li.

Tho. Walker, aged about thirty-six years, deposed that he received of Mr. Ralph King, four years since, 5li. in wood and money, in satisfaction of a debt due from Jno. Blany, etc. Sworn, June 22, 1678, before Tho. Brattle,† commissioner.

Ezekiel Needham, aged about thirty-six years, and Samuel Johnson, aged about thirty-five years, deposed that being in the past summer in the house of Mr. Reading, they heard John Blany complain that he was much wronged about a bond which was in the custody of Ralph King. King being there, said it was not in his keeping. "The said Blany desiring him to procure him a sight thereof he said if hee Would restore it to him, that his Mother might have it again of whom hee obtained it to give him an hearing thereof It should

† Autograph.

Hugh March v. Edward Smith. Verdict for defendant.*

Capt. Paule White v. Clement Grosse. Debt. Verdict for plaintiff.†

bee put into the hands of somebody to read unto him. Since which time the sayd Johnson Attests that by Captain W^m Hawthorn Jun^r It was audibly read to the said Blany But with the said proviso that It might bee returned to his Mother whom It Concerned and of whom It was Borrowed." Sworn in court.

Bond, dated Nov. 5, 1673, given by Jno. Blayne‡ to Ralph Kinge of Lin, for 5li., which the latter was bound to pay to Thomas Walker of Boston. Wit: Rich. Wayte‡ and Thomas Walker.‡ Sworn, June 22, 1678, before Tho. Brattle,‡ commissioner.

*Writ: Hugh March, sr. v. Edward Smith of Exeter; debt; dated June 5, 1678; signed by Jo. Woodbridge,‡ commissioner; and served by Edward Gillman,‡ constable of Exeter, by attachment of house and land of defendant.

Edward Smith's bill of cost, 1li. 5s.

Letter of attorney, dated June 24, 1678, given by Hugh March§ of Newberry to Mr. Tho. Woodbridge of Newberry. Wit: H. Shortt‡ and John Atkinson.‡ Acknowledged, June 24, 1678, before Jo. Woodbridge,‡ commissioner.

Ralph Hall, aged about fifty-nine years, and John Young, aged about thirty-three years, testified that they signed as witnesses, etc. Sworn, June 26, 1678, before John Gillman,‡ commissioner.

Copy of bond, dated Apr. 23, 1677-8, given by Edw. Smith to Hugh March, sr., in pine boards at 30s. per thousand at Exeter. Wit: Ralph Hall and John Younge. Acknowledged before John Woodbridge, commissioner. Sworn in court. Copy made by Hilliard Veren,‡ cleric.

†Writ, dated June 7, 1678, signed by Ephraim Turnor,‡ for the court, and served by Joseph Webb,‡ marshal of Suffolk.

Paull White's bill of cost, 3li. 7s.

Daniell Lunt, aged about thirty-six years, testified that about sixteen months since he delivered to Clemant Gross of Boston, 100 bushels of malt on account of Capt. Paull White of Newbury, for which he was to give Capt. White 16li. in money. Sworn in court.

Tho. Woodbridge and Anne White deposed that the wife of Climent Gross owned the receipt of the malt. Sworn in court.

Letter of attorney, dated June 24, 1678, given by Paul (his mark) White|| of Newberry to Anne White. Wit: Tho. Woodbridge‡ and Hugh March.‡ Acknowledged, June 24,

‡ Autograph.

§ Autograph and seal.

|| Seal.

Edmond Bridges v. Mr. Edmond Batter. Defamation.
Verdict for defendant.*

1678, before Jo. Woodbridge,† commissioner. Mrs. White impowered Mr. Tho. Woodbridge to appear as her attorney, 25 : 4 : 1678, in Salem court.

*Writ: Edmond Bridges v. Mr. Edmond Batter; defamation, for saying that plaintiff was the leader of a factious company in Salem and that it was their design to overthrow all order and government in this town of Salem, also for saying that the plaintiff was the cause of all the mischief in Salem; dated 20 : 4 : 1678; signed by Hilliard Veren,† for the court; and served by Henry Skerry,† marshal of Salem, by attachment of land of defendant.

Edmund Batter's bill of cost, 2li. 5s. 8d.

Francis Nurs testified that he heard Mr. Edmund Batter make these charges, etc. Sworn, 21 : 4 : 1678, before Wm. Hathorne,† assistant.

Isack Cooke, aged about thirty years, deposed that in a public town meeting in Salem the past spring, he heard Mr. Edmond Batter make these charges, etc. Sworn, June 26, 1678, before Daniel Denison.†

Jacob Town and John Hobb testified that Edman Bridgis of Salem above fifteen years ago when he was a dweller at Topsfeld, was allowed as a voter there and his estate was such as made him a voter by law in those times. He also opposed those who did not have liberty to vote by law. He took the oath of fidelity at Mr. Baker's house before the Major General Denison about twelve years since. Sworn, June 26, 1678, before Daniel Denison.†

Jno. Marston, aged about thirty-seven years, testified that "at our towne meetings for the choice of select men & Constables this Last spring Edmund Bridges did Appeare very turbulent & factious & ofensive In his speeches & espetially to m^r Batter who blamed him for his disorderly speeches: but was Answered by sd bridges I know I stick In sum of yo^r eies I had Rather stick In you^r throats: with many other disorderly speeches att severall times: till at Last I heard m^r batter only say unto said Bridges that he and such as he was are the cause of this mischeif: for I doe teastifie that the sd Bridges did Apeare In his actions as cheif or head of those that had noe Libertie by law to voat." Sworn in court.

Samuel Gardner, sr., testified that at the meeting there was much disorderly proceeding in the voting of many who were not qualified according to law to do so. Being reproved by one of the commissioners, Bridges replied, "you did for your

† Autograph.

Siprian Steepens, attorney to Henry Willard v. John Blany. Verdict for plaintiff.*

friends last year wee will do for ours this year." Sworn, June 25, 1678, before Daniel Gookin, sr.,† assistant. Samuell Gardner was not present in court when the case was tried. John Putnam testified to the same. Sworn in court.

Willm. Dounton, aged about forty-eight years, and Henry Westt, aged about forty-nine years, deposed that at severall Salem town meetings, Bridges was the leader of a disorderly company, showing a bold and impudent behavior. He said, "do you think to make doggs of us wee will not be made doggs of." Owned in court by said Bridges.

Thomas Preston, aged about thirty-five years, testified that he heard Mr. Edmund Batter say that Edmund Bridges was the ringleader of the company. Deponent also testified that being generally at town meetings, he never heard Bridges speak before he had asked leave of the moderator, because he wished to prevent disorder, as he told deponent. Sworn in court.

Barthol. Gedney, aged about thirty-eight years, testified that being present at their general town meeting in March last, there being many in attendance, etc. At the next meeting to choose selectmen, four of those elected having declined to serve. Bridges hindered the settlement and the meeting was broken up and the town left without selectmen for a considerable time. At the next meeting, upon appearance of more disorder in voting, it was moved by several of the freemen that they, together with those who had a right to vote, should vote on the matter. Sworn in court.

*Writ: Cyprian Steepens, attorney to Henery Willard v. John Blanne; for withholding a pair of sufficient oxen, and for rent for the same; dated May 6, 1678; signed by John Fuller,† for the court; and served by John Ballard,† constable of Linn, by attachment of marsh of defendant.

Mr. John Blayne's bill of cost, 2li. 5s.

Benjam. Muzzy, aged about forty-eight years, and Cyprian Steevens, aged about twenty-eight years, deposed that being desired by Mrs. Willard to appraise the oxen that Tho. Farrar and John Blayne drove away, they judged them to be worth twelve pounds. Sworn in court.

Agreement, dated Aug. 3, 1676, between Jno. Blanye† and Henry Willerd,† that said Blanye should hire a pair of oxen for 12s. until the last of the next April, when they should be returned to Willerd; if he kept them another year, he was to pay 16s. in money. Wit: Benjamin Muzzy† and Richard (his mark) George.

† Autograph.

John Dodg v. John Roberts. Verdict for plaintiff.*

Joshua Boynton acknowledged judgment to Mr. Tho. Woodbridge.†

Mr. Hilliard Veren, jr., attorney to Mr. Edward Merrywether, haberdasher in London v. Daniell Turell, jr. Debt. Verdict for plaintiff.‡

*Writ, dated June 19, 1678, signed by Thomas Riggs,§ for the court, and served by William Sargant,§ constable of Gloucester, by attachment of two guns, a fowling piece and a musket belonging to defendant.

John Dodg's bill of cost, 2li. 8s. 3d.

Hudson Leverett§ deposed that one John Roberts came to him in the street in Boston on Thursday last and told him that John Dodg of Salem had sued him for nonpayment of a bond, and that one John Cleere was a witness but the other witness was not in Salem. He also said that the shallop was never delivered to Roberts, etc. Sworn in court.

George Page, aged about thirty-six years, deposed that last March being in the company of John Dodg in Boston with John Robartts on board of the lighter called the Bettye, he heard Mr. Dodge say to mate Roberts "I will now giue you Posetion of the loytor or boate yt is Now in Controversye." Roberts replied, "Sir I haue now possetion annuffe and I desier noe more." Both said they were satisfied. Sworn in court.

Bond, dated 10 : 9 : 1677, given by John (his mark) Roberts|| of Glocester, boatman, to John Dodge of Salem, for 9li. 15s., to be paid at Dodge's house, which is for three eight parts of the Betty, lighter or shallop, which Dodge sold to Roberts. Wit: John Greene§ and John Clear, jr.§ Sworn to by John Clear, jr., June 20, 1678, before Edward Tyng,§ assistant.

†Bond, dated Mar. 12, 1677-8, given by Joshua Boynton§ to Thomas Woodbridge, for 9li. in pork, malt or beef. Wit: Laurence Hart§ and Joshua Richardson.§ Sworn to, June 24, 1678, by Joshua Richardson, before Jo. Woodbridge,§ commissioner.

Writ: Thomas Woodbridge v. Joshua Boynton; for withholding payment of a bond; dated June 17, 1678; signed by Jo. Woodbridge,§ commissioner; and served by Joseph Pike,§ constable of Newbery, by attachment of the dwelling house and land of defendant.

‡Writ, dated Apr. 18, 1678, signed by Hilliard Veren,§ for the court, and served by Henry Skerry,§ marshal of Salem, by attachment of house and land of defendant.

Daniel Turel of Boston jr., Dr. for a parcel of Goods received from Edward Merrywether in London, May 28, 1670: To soe much then received first Cost in England, 44li. 18s. 5d.; to interest from May, 1670, to May, 1678, —.

John Price, aged thirty-two years, and Hilliard Veren, aged twenty-nine years, testified that being in Boston in company with Daniel Turel, jr., about seven months since, Hilliard Veren demanded the debt of 44li. 18s. due from him to Edward Merrywether of London for a parcel of goods received of said Merrywether in London about eight years since, etc. Sworn in court.

Letter of attorney, dated Aug. 15, 1677, given by Edw. Meriwether,* citizen and haberdasher of London, to Hilliard Veren of Salem, merchant. Wit: Wm. Hirst† and Deliverance Parkman.† Acknowledged in court.

Letter of attorney, dated Boston, June 22, 1678, given by Daniell Turell, jr.,* to Mr. Hudson Leveret of Boston, merchant, said Turell being "so much an honorer of autheritie, especially such good power as is over us I meane our honord Governor & the honord Magistrats of the Massachusetts Colony of w^h I am an Inhabitant. And by reason of the multiplicite of my busines & the smale pox being round about us & most in the Country being fearefull thereof, And I heareing of m^r Hudson Leveret was Coming to Salem." Wit: John Viall, jr.† and John Ferniside.† Owned, June 22, 1678, before Edward Tyng,† assistant.

Account of Daniell Turell, jr.:† Boston, Mar. 10, 1670–71, sold to John Meagers, merchant, upon account of Mr. Ed. Meriwether, in hats, which amounts to 20li. 11s. at 40 per cent. to be paid in money Nov. 2 next; paid or left in the hands of Mr. Phillip French by your ordering, 10li. 7s. 9d.; the charges of the hh. hatts & the fraght, 10s. Sent by Mr. Greenough in the Blessing, 8 barrells of oyle, cost hear 12li. & it made in London, 5li. 11s. 5d.; by hh. of suger by Mr. Bery, 5li. 4s.

Mr. Edward Meriwether of London, Cr., by a parcell of hatts you sent over to New England upon your proper account & consined to mee as p invoice & charges, 22li. 2 1-2d.; at 40 per cent., 8li. 16s.; total, 30li. 16s. 2d.

Letter, dated London, March 1, 1677: "Mr Veren yo^rs of the 10th desemb^r came to hand the 28th Feb^r wherein I take notice that yo^u haue had some trouble aboute my Conserns with daniell Turrill & m^r Hathorne & that yo^u hope to gitt mee Turrills debt I haue spoken with Mr. Phillipp French & hee tells mee hee neuer rec. any ten pounds of Turrell one my Account soe that yo^u may see him not to bee honest, s^r I desire yo^u by all means to make an end with him & what

* Autograph and seal.

† Autograph.

effects yo^u recd to send in provissions to the Barbadoes & consigne it to M^r Joseph Harbyn And as for M^r Heighhorne if yo^u gett any provissions from him to send it also but if hee bee not in A conditioned take his Ingagment for what tyme yo^u thinke fitt & for yo^r care & trouble in this conserne I am willing to giue yo^u full satesfaction to content wee are licke to haue troubles this year for all discourse here is warrs with France the parliment is now setting & haue giuen the Kinge 1,000,000li. for to sett out 90 sayle of shippes & to rayse an Armye God send good succes pray p^rsent my very kind love to M^r Hurst whose letter I haue recd thus returninge yo^u very many thanks with my respects rememb^r I remayne yo^r este^d Loving Freind Edw. Meriwether.* pray S^r cause the inclose to bee deliuerd."

"M^r Daniell Turrell I haue written many letters to Littell purpose for the monyes that haue ben longe due to mee for that I haue giuen m^r Hillard Veren of Salem A letter of Attorney to recd which is due to mee it is now aboue 7 years sence yo^u had the goods & doe Exspect to pay Intrest for 6 years all that I haue recd is in oyle & suggers all Charges deduckted came to 10^u 15^s the goods yo^u had of mee came to 44^u 18^s 5 soe there is due to mee 34^u 3.05 besydes the forbarance therefore I desire yo^u will make m^r Verine satesfection & his reseite shall bee yo^r discharge thus with my love remb^r I rest

"yo^r Lo: Freind

"London 13 Aug 1677.

Edw. Meriwether.*"

"M^r Turell yo^rs I haue recd doe wonder yo^u did not recd myne sent yo^u last yeare I haue by the last shippes sent yo^u An Account of the sales of yo^r oyles which came to a bad Margett but it was out only yo^r conditioned but many others, S^r what remaynes due to mee if yo^u please to pay to m^r Phillipp French now att Boston hee shall giue yo^u A discharge pray giue him An Account of the produce of the pcell which was sent in halfe & for the tyme to come if yo^u thinke fitt shall haue further dealings with yo^u: yo^r oyles came to me more then 5^u 11^s 5^d all Charges taken of this with my kind loue remb^r I remayne

"Yo^r very Lo. Freind

"London 2 May 1672

Edw. Meriwether.*"

"S^r yo^u knowe the pcell yo^u had by invoice came to 4 : 0 : 5 the one halfe I Adventurd the other yo^u bought soe that I haue recd only the aboue sayd some of 5 : 11 : 05 soe remayns 16^u 09^s 00 one yo^r Account for the one halfe. Vale, E. M."

Hilliard Veren's bill of cost, 2li. 11s. 2d.

* Autograph.

John Witt was sworn constable for Linne.

Capt. Tho. Marshall, Capt. Richard Walker and Mr. Tho. Laighton were sworn commissioners to end small causes for Linne.*

Sarah Hathorne had her former license renewed for the year ensuing.

Samuell Shattock and Richard Reafe had license to retail strong waters out of doors.

Richard Reeve, Frances Girdler, Benjamin Parmiter, William Bartoll, Edward Read, Mr. Timothy Lindall and ——— Cloyce took the freeman's oath.

Whereas Robert Dorton left by will 25li. to several persons, John Ring, Edward Deare, Phillip Welch and William Danford, and said Dorton having been out of the country these four years and a half and not heard from, court ordered that Edward Deere have 10li. and the other three, 5li. each, Deere to pay the charge of settling the estate. Each was to give security in case said Barton should return.†

*They were chosen at a general town meeting at Linn, May 21, 1678, and presented to the court by John Ballard,‡ constable.

†Petition of Edward Dear, William Danford and Phillip Wealch: that the court would take cognizance of a "verbal will, or Guift madde by Robert Dorton which will be proved now at court; the manner is as followeth, Robert Dorton hauing some estate to the value of twenty five pounds in good specias, which he left in the hands of John Ring, and ordered it so, that if he came not here within the space of three years, then he willed the said summe with the use thereof to four of his countrymen, Namely Edward Dear, William Danford, Phillip Wealch, and John Ring, and that perty of the four that was in most need at the three years end, he was to haue ye biggest share; Now it is almost six years sinse. the said Dorton went out of thes Cuntry."

Edward Neiland, aged thirty-eight years, and Elizabeth Dear, aged upward of fifteen years, deposed that they asked Dorton a year after he made this will if he still wished the same carried out and he said he did. Also that the bill which Dorton had of John Ring for the money, he had committed to William Danford. Sworn, June 20, 1678, before Daniel Denison.‡

Edward Allin and Killicrist Ross testified that they being in Goodman Sparks' orchard where John Ring was, heard

‡ Autograph.

Ephraim Fellowes, being complained of for cutting down the bridge of Nathaniell Jacobs, and he owning his absence from training at that time, was ordered to pay a fine to the country of 20s., and repair the bridge within a fortnight.*

Six men were appointed to lay out a cart way betwixt Reding and Salem, to be done in a month, the meeting place to be at Salem as such time as Reding men should appoint. They were Mr. John Hathorne and Eliezer Giles of Salem,

the latter say he had the money in his hands, etc. Sworn, June 20, 1678, before Daniel Denison.†

*Sarah Jacob, aged about thirty years, testified that being at her brother Nat. Jacobs' house and hearing a chopping, she went down to the bridge, where she saw Ephraim Fellowes cutting upon the bridge and he did not answer when called but hastened homeward. Sworn in court.

Nattl. Jacob's† petition: that he "hath lately bin most unreasonably and unrighteously treated by some of my neighbours, and that to my verry great Damage in cutting downe my Bridge, and obstructing the passage for my cattle to goe to pasture and that without any just grounds or reason, and also having just cause to feare and suspect further violence and mischief to bee compassed and wrought against my family and estate by the sayd person or persons. . . . The injurys and wrongs that I haue suffered being of such a nature || as hinders my Cattle from going to their dayly pasture || and done at such a time, that I suppose will bee accounted as well A Breach of the ciuill peace and order established here amongst us, as an intollerable Damage to my selfe. The person I principally intend in this my complaint is Ephraim Fellowes, who (I hope) I shall make it appeare by Testimony and circumstances, hath thus wronged mee, and that upon y^e last Trayning Day when hee ought to haue bin otherwise occuppyed but y^t he knew it was too little time for me to haue a tryall now," etc.

John Appleton, sr., and John Whipple, sr., testified that the last second day the troopers were called together to exercise, and Efrem Fellis was absent when the troop was drawn up in the afternoon and came and desired to be excused from a fine. He said he had been at home at his farm upon urgent occasion. Deponents also testified that Efrem Fellis wore blue linen breeches on that day. Sworn in court.

Summons, dated 26 : 4 : 1678, to witnesses, Thomas Jacob, Sarah Jacob, Joseph Jacob and John Pengille, signed by Hilliard Veren,† cleric.

Ephraim Fellowes' bill of cost, 1li. 6s. 10d.

† Autograph.

Mathew Edwards and John Weston of Redding and John Pearson and Seargt. William Bassett of Linne.

Thomas Purchas dying intestate, and a writing having been given in as his will,* in which his son Thomas was named as executor, court granted administration to Elizabeth, the relict, and son Thomas, who were to bring in an inventory to the next Salem court.

*Will of Thomas Purchas,† dated May 2, 1677: "Excepting all my siluer plate, which I intend to dispose of my selfe, I giue & bequeath All my goods, Chattels, houses & Lands (If any standing) one third part unto my welbelovèd wife Elizabeth Purchase, And two third parts of my said estate viz^t Goods, Chattels, houses, & Lands, I giue unto my five children equally to be devided amongst them, And as for the third part which I haue giuen to my wife my will is that it shall Returne againe unto my five children || after hir decease || equally to be devided amongst them, And as for the supervisors of my will I doe desire my welbelovèd friends M^r Henry Jocelin my cousine M^r Olliver Purchase of Hamersmith, & my cousine M^r Edward Alline of Boston, And as for theire Labour & paines herein I doe giue unto each of my said overseers, twentie shillings a peece to be payd vnto them in Currant New England siluer by my sonne Thomas Purchase, whome I doe appointe & ordaine to be executor." Wit: George Robinson‡ and John Ferniside.‡

Inventory of the estate of Mr. Thomas Purchas, sr., who deceased in Linn, May 11, 1678, aged 101 years, allowed, 25 : 5 : 1678, in Salem court, upon oath of Elizabeth, the relict: to a parcell of Land at Pechepscot containing about 1000 acres more or less, —; a mare & mare Colt, 1li. 10s.; one Cow & 2 Calves, 3li. 15s.; a Sylver tancker, 3li.; a Sylver Cupp, att 1lb. 10s. given to his sonn Thomas before his decease, 1li. 10s.; a Sylver dram Cupp, 1s. 6d. & a broaken Sylver spoone att 3s., 4s. 6d.; 2 shirts & 2 p. of drawers, 12s.; on bolster tick & a feather bed, 1li. 16s.; 2 fether beds & 2 bolsters, 4li. 10s.; 4 pr. of pillowbeeres, 1li. 15s.; one pr. of wrought pillow berers and Cubbott cloath, 12s.; a diaper table Cloath & towell, 7s.; 5 sheets, 1li. 10s.; 5 table Cloathes, 3li.; 20 napkins, 1li. 5s.; 2 old Coates & 2 pr. of Bretches, one dublett, one pr. of drawers, 12s.; 3 baggs, 3s.; 7 old sheetes, 1li. 10s.; 3 white Blancketts, 15s.; 5 pillowes, 3s.; 4 Ruggs, 2li. 10s.; one Coverlede & 5 old Blancketts, 1li. 5s.; one great byble & 3 other bookes, 16s.; 4 Brasse Kittles, 1li. 10s.; 2 sives att 2s., one iron pott, 4s.; 3 wooden dishes, 3s.; 4 pewter Dishes, 14s.; 6 old pewter vessells, 12s.; 2 old skillets, a

† Autograph and seal.

‡ Autograph.

[Sergt. Wm. Nick, Sergt. Samll. Morigin, Richard Oliver, John Furbush and James Denes testified to the paper that refers to the fence, and James Denes, Richard Oliver and William Nick testified to what they saw and heard in the house. — *Waste Book*.]

The relict of Richard Richards, deceased, brought in an inventory* of her husband's estate and was sworn.

ladle & skimer, 6s.; one Brasse Chaffin dish, 4s.; one warming pan, 5s. 6d.; one old Chest, 3s.; one Spitt, 4s.; one old Blanckett, 5s.; old trunck, 5s.; one Chare, 1s.; total, 35li. 1s.

Account presented by Samuell Pike of the charges and disbursements concerning Mr. Thomas Purchas, deceased, and his four children: For Mr. Thomas Purchas's diet seven months, 5li. 13s. 4d.; two children's diet a year and a half, 24li.; one child's diet a year, 8li.; one child's diet a year and a quarter, 10li.; wintering a mare & colt, 1li.; charges for his funerall, 1li. 16s. 8d.; total, 50li. 10s. 8d. Received of Mr. Thomas Purchas: att one time 20 bushell of Indian corn att 5s. 6d. a Bushell, 2li. 10s.; att another time tenn bushells of Indian corn, 1li. 5s.; In Linen & wollen cloth, 1li., 4li. 15s.; total, due, 45li. 15s.

Petition of Elizebeth Purchas,† widow of Thomas Purchase: "your petitioners husband being an hundred & one yeares of age, Deceased aboutt fue or six weekes since att Lynn, who left behind him besides your petitioner fue Children to bee provided for, And butt Little or noe estate haueing lost most of what he had by y^e Indians to the East-ward, Butt itt pleased him to make a Will wch. wee here withall present unto y^r Honours, in which will he made his Eldest sonn Thomas Purchas his executtor, who by reason he knowes nott how much his father was indebted, butt knowes his father left little or noe estate behind him besides a parcell of Land to y^e Eastward, and being a young Man is fearefull to accept of y^e executtorship for feare of involveing himself into many troubles, And your petitioner understanding that y^e law requiers either some executtor or Administrator to bee approued of by y^e next court in y^e countie where y^e partie Deceased, Humblie supplicates this Honord Court that by reason that he that was appointed executtor refuseth to Accept thereof, humbly requesteth that this Honord Court would be pleased to grant letters of Administration to her and her sonn Thomas or otherwise to order & settl y^t little estate that is, as in y^r wisdome you shall think meet." Elizebeth Purchas,† Thomas Purchase.†

*Inventory of the estate of Richard Richards, deceased,

† Autograph.

Upon complaint against several persons in Marblehead for opposing or abusing the military officers in the execution of their office, John Codner, and Peeter Harling and his wife were fined. [Wm. Bacheler was ordered to appear at the next court. — *Waste Book.*]*

appraised June 25, 1678, by Edward Flint† and Richard Croade,† and allowed, 28 : 4 : 1678, upon oath of the widow: in ye lower room, a Feather bed & Bolster with y^e Bedsteed, a Rug and ye Furniture being old, 3li.; a Table & Forme, a chest & 2 Boxes, 1li.; 4 old chaires, 5s.; An old Iron pott, 3s., an Iron kettle, 8s.; 2 Iron hakes, 6s., a paire of Tongs & fire shovell, 4s.; A Fryeing pan & Brass skillett, 4s.; A grid Iron, 2s., an old smoothing Iron, & 2 heaters, 2s.; 4 old pewter platters, 8s.; 2 Jarrs, 2s., 5 Cheese Fatts, 18d.; 4 Woodden Boles & 3 Trayes, 5s.; An old Broken woollen wheele, 6d., an old Lynnen wheele, 2s.; 6 old Trenchers & 3 old earthen potts, 1s.; an old ax, 1s.; an old paire of cards, 6d.; in the chamber, An old bed, an old Bedsteed & Furniture to y^e Bed, 1li.; A horse collar, a paire of hames & a cart saddle, 3s. 6d.; an old rideing saddle without stirrops or girts, 4s.; A peece of Tarrd roape & some old Iron, 5s.; 3 old Tubbs, 2 old Trayes & old Troff, 3s.; An old hoe, 18d., an old paire of wheeles & cart with y^e Appertenances, 16s., 17s. 6d.; total, 9li. 8s. 6d.

*Summons, dated June 27, 1678, for the appearance of John Codner, William Blacklook and Peter Harleng, for refusing to show their arms and otherwise abusing or threatening the officers, also to witnesses, Sergt. William Nicks, Samll. Morgin, Corp. John Furbush and Richard Oliver, signed by Daniel Denison,† and served by William Woodes,† constable of Marblehead, who returned that he could not find William Blackle, he being at sea.

John Codner's bill of cost, 13s.

"whear as wee whose Names are under written Beeing sent out By o^r Chife offesers to assiste The Clerke for gathering of fines and see how men wear provided with armes wee coming to Petter Harlines House The man being not at home The Clerke Required to see His armes and amanition His wife shewed Her Husbands armes but could not as shee s^d shewe Her Husband amanition because it was In Her Husbands Chest. The Clerke asked the woman for Her Husbands fine for Neglecte of Trayning shee Refused to paye It. The Clerke s^d hee would straine Her goods If shee had not money To which shee sd: If yo^u touch any goods of mine I will knoke out yo^r Braines wheare upon shee thurst The Clearke of and hee Required Sargⁿ Nicke To assist Him which hee did and

† Autograph.

William Hoar and his wife, Goody Harris and Goody Johnson, being under great suspicion of receiving stolen goods of Margaret Lord, Mr. Hale's maid, and several things proved by several witnesses of giving entertainment to Mr. Hale's servant and having stolen goods found in some of their houses, were to pay costs.*

the Clerke tooke a pewter dish for The fine: soe shee gave many Railling words and went awaye Towards Night wee came to John Codners and the dore was Shutte and Then to w^m Blakelers House the dore was Drawen Home but seeing John Codner and w^m Blakeller In there fish fences whene wee wente In To The fences and the first man the Clerke spake too was w^m Blackellor of whom The Clerke demanded To see His armes and amonico which he Refused to doe and to paye His fine where upon The s^d Blackellor Called Him pittifull fellow and picking fellow and Lousie fellow and pimping fellow and so did his wife the like with many angry words Then The Clerke went to John Codner to demand To see his armes and Amunition and His fine John Codner s^d That he would Not shew his armes To him Nor any man alife and s^d wee are Brought to a braue passe to be ordered By such a pittifull fellow as thee and after many abusieue words more of about Halfe ours Time of these too: Petter Harling and His wife beegan to Rail on the Clerke and sd: he should haue his Hearts Blood If he had ben at Home before hee should Take any thinge of his for his fine and Like wise his wife threttened to doe The Clerke a mischeefe bee fore Shee went out of the Contry Theay beeing Boath at this tim In ye fences aboue me." Wm. Nick, Sam. Morgain, Richd. Oliver, John Furbish and James Denis made oath to what refers to the fence and Denis Oliver and Nick to what was done in the house. Sworn in court.

*Complaint, dated June 28, 1678, of John Hale† of Beverly: "I have found my late maide servant Marget Lord in the latter part of her time exceedingly adicted to lying & very obstinate to stande in her lyes: & my wife desiered to putt her away saying it grieved her to keep such a lyar in her house yet she was retained in hope of her reformation till shee ran away. I beeing gon a journy came home March last ye 21st when I understood Marget had run away & was returned & a bundle of things found gotten by ye sd Marget without o^r knowledge or consent which beeing enquired into shee gave account of about 40 shillings in money shee had layd out as shee said, the last of w^{ch} mony shee said was layd out by her about eight weeks before shee ran away & strongly affirmed

† Autograph.

shee had had no mony in about eight weeks before shee ran away. Yet Goody Hoar owned yt Marget threw a shilling into her lap to give her yt week shee ran away || wch good Hoar said shee returned to her out of dores||. Upon counting my mony I found between ye 4th of January last & ye 23 of March I missed out of my box twenty three shillings & ten pence gon || I knew not how.|| As to my childrens evidences I say in many of ye things they were asked severally one not knowing what ye other said & yet agree in their sayings neither had they any opportunity to know, that I can understand yt wch severall others have since affirmed to strengthen what they affirme as y^e Hoars Chillardren & others I have observed the last winter Samuell, Tabbie & Nancie Hoare to hang so much about our houses y^t in my minde I suspected they came to steale & spake of it.

"I remember ye day my maid Sarah came to borrow a six pence in the Tabbie Hoars name & wondred at it. As for ye Key said to bee used by Marget unbeknown to us I remember a little before Marget ran away I found such a key wch appeared to bee newly dropt without ye dore, fresh & bright as a key in dayly use. I supposing it to bee ye key of ye seller my wife had in use I gaue it to her. As for pease I had a parsell in an hoggshedd w^{ch} by my book wete 4 bush: & a halfe but when measured there wanted about three pecks before I ordered any of them to bee used I have strangely mist mony divers times out of my box before ye 4th of January I suspect pounds but cannot tell what sum exactly to pitch upon. I have heard my wife speak often before Marget ran away y^t her malt went away shee knew not how."

Search warrant, without date, for apprehension of Margaret Lord, who had hidden herself, signed by Daniel Denison,* and served by Thomas Rix,* deputy marshal of Salem, who returned that he could not find the party.

Warrant, dated May 31, 1678, for apprehension of Dorcas Hoare, Mary Harris, Elizabeth Johnson and Anis Hoare, for receiving stolen goods, such as flour, malt and oatmeal from Margaret Lord, signed by Daniel Denison,* and served by John Blacke,* constable of Beverly.

John Hale* of Beverly, aged about forty-two years, testified that "when I coming from a journy ye 21 of March last & understood my late servant Marget Lord had run away & was returned ye very next day Goody Hoar came to me & in a strange way did pleade to excuse Marget for her night walking & oth^r misdemeanors then discovered, agen ye Saturday night following viz ye 23^d march Marget was wanting till late at night & Goody Hoar confessed shee had been with her allso ye sabboth following as I was told Margett went

* Autograph.

out of ye meeting in ye time of publick worship & goody Hoar owned || to me || shee was then wth her or at her house upon suspicion I had of Goody Hoar I sent to speak wth her; shee owned yt Marget gave A shilling into ye said Hoare's lap a day or two before she ran away shee beeing in my house: shee owned shee knew of wheat & suggar yt Tabbie Slew had wch might come from my house & I thinke a few appls: but denyed to know of oatmeale, hopps shee owned an handfull but said shee sent to my wife for ym (by as I understood her daught^r Nancie) pease shee said shee had none of o's for shee could not eate any pease & they had no other for yr family but w^t they bought of Mr. Higginson. ye malt for ye wedding beare of Tabbies shee said her husband hoar bought shee solemnly professed y^t shee would never more have to doe with Marget Lord, yet I am informed yt since yt time Marget hath been twice at her house & wth her children; viz when Jo. Cooke went away as its said & another time since about ye middle of May. Goody Hoar also Affirmed strongly to mee yt Marget Lord was never within her dores but once (I understood her while my servant) except when sent of an arrant by her mistriss."

Rebeckah, wife of M^r John Hale of Beverly, testified that she took account of Marget's clothes and some of them, the latter could give no account of and others she had removed from their accustomed place, whereupon "I thought shee had some evill design, & I took some of her cloaths & lockt them up in my husbands chest, Afterwards shee carryed it so stubbornly yt I had feares what her designes might bee so y^t I lookt for ye knives & what I found I layd by for I had feares what ill intention shee had to me & my children. The next morning my maid was gon, my husbands chest unlockt, most of ye cloaths I putt in taken from thence & another trunk & cupboard opened wherin were cloaths of valew. When shee was asked at severall times about a paire of lawn sleeves & a silk hood, shee said her brother gave her ye lawn & ye hood, yet after owned shee bought them of other persons. As for other things shee had without my knowledge I knew nothing of it I was told of it by others. As for money shee had of lodgers at my house, she layd it out so needlessly yt I have blamed her for it, so yt I cannot rationally conceive shee could have above ten shillings layd out upon ye things gotten without my knowledge, but yt ye rest must be gotten some other ways. As for ye key of ye sellar my children spoak of I remember yt some time in winter one came & told me yt Marget said shee had lost ye key of ye sellar & I fetcht another yt would fit ye Lock Diverse things I missed before Marget ran away, as malt, hopps & butter, suggar & mony & other things. Diverse other things I missed not till ye

children told mee yt Marget disposed of them & thereupon I made a search & miss them, as gold, corral, orient pearl, amber, cloath, silk, &c. More particularly I miss according to my best understanding of mony two shillings six pence kept under lock: of malt to speak with ye least three bushells of Indian in corn & meale I miss this last winter & spring at least fower bushells if not more according to my best understanding, butter twelve pound or 20 lb. suit five pounds suggar twenty pound if not A quarter of hundred Rye meale a peck I suppose more, hopps a pound, at least, wheat meal, bushell I suppose more, two or three cheeses of all or halfe new milk, wch I taxed Marget with above six weeks before shee went away: oyle, sope, candles, tow, I wondred how they went away & have questioned Marget about such things. As for apples of ye ordinary sort I have lost; but reckon not — of my choycest apples I miss two or three bushells. Of bugle beads 3 or 4 shillings worth of ye choycest colours. Of black linsie woolsie cloath a yard & halfe at halfe a crown a yard; out of a peice of stuff of seaven yards bought of M^r — Higginson w^{ch} is 4 shilling upon his book by ye yard, as understood, I miss a yard. Also I miss a gold frame for a — wth about 3 yards of lace worth a shilling & some — & about an ounce of Sleve & Naples silk or more: Of — & orient pearle a necklace yt would goe twice round my daughters neck, & almost all lost & a necklace of Amber — almost all lost. My pease I saw measured & they wanted about three or four bushell & a halfe, & I ordered none of them — used. . . . The children showed me a stone they said Marget weighed sope to Nancie Hoar with; I weighed ye stone & it weighed five pound. I farther say I never ordered candles to bee layd on ye chees-press, or oyle this winter to be putt into a tubb, or cheeses into ye oven. On ye fast last after Mr. Shepards death I not beeing very well stayd at home, & sent Marget to meeting & about half an houre after people were gon I stept out & found Marget in ye cow-house: this is ye fast on w^{ch} its said — trimed ye gloves & spovyld ye well. I remember when Stockman lodged here ye last fall, shee told me shee — handkercheif & lookt for it & said shee could not fynde — I remember I kept my bugle beads under Lock & key — In relation to a passage in Deborah Morgans evidence — Turkie I doe remember a roost fell on a Turkie & killed — but I took no mony of Marget for it." Sworn, May 31, 1678, before Daniel Denison.*

List of other articles stolen not mentioned before, certified to by Rebeckah Hale*: "1. I lost while Mary Morse was my seruant a Pigg as shee the said Morse hath witnessed worth I judge 15^s. 2. After Marget Lord returned from

* Autograph.

her running away, I asked her for a silk hood y^t Margaret used to ware; she told me it was lost, And according to my best obseruation this was the silk hook, the constable said was found upon search at Mary Hariss house. 3. I challenge the two bottoms of Naples silk which the constable said was found in Goody Hoars box, & haue others of the same sort, & Judge y^t to be part of the quantity of silk I lost out of my box. 4. According as Tabbie Slew hath confessed I haue missed fruit & spice, I reckon worth three shillings or more. 5. I remember y^t Goody Hoar owned that Marget threw into her lap a shilling in my house, which shee said shee after gaue Marget againe without dores. 6. I sold noe oatmeale to Goody Hoar since last march or february most a twelve month & then but halfe a peck."

Rebeckah Hale, jr., testified, "I haue known of the naughty doeings of our maid marget lord a great while but I was afraid to tell my mother of them least marget should kill me for shee threatened Iff I told of her tricks shee would burne mee with the marking Iron and that shee kept a rope in the hay to hang mee with Iff I told and many tymes held mee over the well to affright mee and once shee put mee into the bucket of the fore well and lett me down to the bottom. I told hir that Iff shee killed me It would be discouered shee answered mee shee would burn my body in the fire I told hir I had heard of murthers of children that weere discouered. Shee said that was in England but it could not so easily bee discouered heere. Shee threatend to burn Sarah with the fire pan heating of it in the fire. Shee said shee had a book in which shee Could read and call the diuell to kill Sarah: farther she said that a little before tabitha hoar was married hir father being at home and mother abroad I saw hir giue the said Taby our bagg with about halfe a bushell of something in it: Sarah went with hir and brought back the bagg empty and said goodwife hoar thanks you and said it was a good halfe bushell marget answered it was three pecks: farther shee saith I haue observed allmost allwaies this last winter when father and mother weere abroad nancy hoar useth to Come and cary away aples or turnups and beere sometymes twice in a day: and marget kept another key to unlock the back seller door the last fast befor marget went away shee bound hir ribins upon hir gloues as she told mee and said on the same fast day shee punched down the stones of the fore well saying I haue made work for old Edwards and said shee threw thirty four stones into the back well the day after John Edwards Cleered it: once this winter nancy hoar said to marget hir mother would pray you to giue hir some oatmeale and gaue marget a pillow beer: after wards I saw this pillow beer in the hen roost with about halfe a peck of oatmeale in it: and the next

day I saw nancy hoar fetch it and heard hir say to marget this will serue mother a great while: and another tyme I saw tabby hoar Carrie away from our hous a bagg of something under hir arm and something in hir lap: I haue seene often a strange bagg and pillow beere lie at our hous and Symon hoar once said that is our bagg: I saw nancy hoar Cary away a pillow beere with about halfe a peck in it and flower Came out. once this winter I saw margett in hir bed Chamber haue in hir hand our black linsee woollie Cloathe at the fagg end and said this is dreadfull rumbled tother end would doe cleuerly, if it weere not for the halfe bredth but this must doe and had the yard in hir hand to measure it withall: one day I missed out of my trunk my gold frame for a Jewell and two peices of lace and speaking to marget shee told mee that tabby hoar had the gold frame of the Jewell: after this I asked nancy hoar about it in our porch and nancy said that tabby told hir that marget gaue hir the gold Jewell: once this winter I saw a great bowle which I took to be goodwife hoars stand under our kitchen stairs full of peas which Sarah said nancy hoar caried away: itt was Comon with margett to say shee wished mother weer dead that soe shee might not be found out and uery often said If euer I told of hir while shee liued heere shee would kill mee as dead as euer anything was: and often took money from mee which people gaue mee saying shee would kill mee if I did not give it hir: the munday before marget ran away she said that at night shee would goe to goody harrises and when shee came back shee would pay off goodwife stone that old witches linnen the next morning before mother was upp I saw in our little garden an apron of kentin Cloath and a great handkercheife with spotts in it and a Lace cap with running strings and a Long neck cloath laced at each end with a black mark in the midle I knew not whose these things weere: but marget made them up in a bundle and said shee knew the neck cloath was John bills: when mrs Stockman lodged heere and said shee lost a handkerchir about three hours after Mrs. Stockman was gone marget shewed me a lawn handkercher and said it was mrs. Stockmans and said shee would speake to Sarah haskell for some lace to lace it with: when my grandfather Symonds lodged heere last winter in wet weather marget told me shee lay under his bed till hee was a sleepe and then tooke his purse out of his pocket and shewed me three shillings which shee said shee tooke out of his purs: about the tyme mrs. hardie lay in m^r hardie came hither after which time marget told me that then shee gott his handketcher and caried it into the seller and tooke a shilling and three pence which with other money was tyed up in it tyed up the rest and caried it into the hall and laid it down again. also when m^r hardies Cow was heere I haue seene marget when shee was sent to fill the bottle with m^r hardies

milk sometyes gett the Creame off mr hardies millke and sometimes gett some of the milk too and when m^r hardie was to fetch his Cow then marget would sometyes millk part of the millke from his Cow: when we heard grandmothers fan was lost marget talkked much about the fann so that I said to hir I beleue you haue found it she sayd what should I doe with it and laughed: & the day betty hiberd was buried I saw tenn candles lie upon the chees press and when nancy hoar went away the Candles were gone: another tyme I saw about two quarts of oyle in a tubb in the seller which margett told me was for goody hoar: I saw marget another tyme giue tabby hoar a great lump of sugar which shee said she got out of the wallet and tabby bid her get hir two pound more for hir wedding another tyme I saw roberts sleeue lie ouer the ouen full of sugar and marget told mee shee tooke it out of the Closet and said it was three pound another tyme marget being with tabby or nancy hoar in our kitchin they measured mallt and put a little aboue a bushell into their baggs and Symon hoar Caried it away on a hors: many times tabby or nancy hoar would come and Carie away Indean corn some tymes about a peck at a time beif suet indean meal and once about a peck of rie: marget told mee shee tooke four shillings at one time out of fathers box haueing got his key: about two dayes before shee run away I saw a shilling in goodwife hoars lapp at our hous which marget said she gaue hir about a moneth or less before marget ran away she gaue me fiae or six shillings in money to Carie to william Elliot to buy hir a pair of white shoes. She shewed me eight shillings another time a little before hir running away: one day since hir running away Sarah ross and I being in the kitchin with marget my mother being in the hall marget tooke the axe and said shee had a good mind to kill mother I and Sarah begged of hir that shee would not kill my mother but I was afraid to crye out least shee should kill mee: marget went to the doore leading to the hall with the axe and said as I am alieue I will kill hir but then my mother being Coming toward the door marget said I had as good let hir alone for then I should be hanged for hir so my mother Came into the kitchin and marget set the axe behind the ouen Sometime after mrs Stockman had beene heere marget shewed mee a handercheif with lace on it saying it was m^{rs} Stockmans and I tooke it to be the same shee had shewed me before without lace. Marget used to keepe butter in the sheeps hous and in hir coat: I saw margett take bugle beads three or four tymes a box full at once out of mothers trunk that used to be lockt. And this winter marget said shee had a good mind to gett a sheete and a shift for goody hoar: I saw marget giue sam hoar of that sillk my mother calls sleaue sillke a parcell that shee made an hatband of and gaue some more to nancy hoar:

the day before marget lord ran away she said shee had a good mind to burn goody stons hous and shee knew goody hoar would helpe hir and burn the old catted baud to the heart and then shee would haue some thing ells to doe then to tell of hir Allso threatened to shoote goody ston with my fathers gunn If shee Came any more to tell: sometyne this Spring Robert and I being together marget did before us weigh sope with a great stone and gaue it to nancy hoar and said shee beleueed it was two pound: the day hannah graues went to nurs goody wood I and Sarah ross found in a hous nancy hoar had for hir play a babie with a peice of lace on it which was got out of my trunk and a work of beads which wee gaue mother I found afterwards once when grandfather Symonds lay at our hous marget shewed mee a pocket handkercheife which shee said was my grandfathers and it was marked with S S and I saw hir pick out the name: I saw marget giue nancy hoar a Cheese sometyne in the winter and saw two Cheeses more in the great ouen which marget said weere for goody hoar when goody lord sent me to fetch some of Margits things from Mary Harriss I saw In Mary Harrises Box His gloues which Margett was Condemd for Stealing from goody Stone with a lawn handkirchife & other things that Marget had after this Margit tould me she had in paper bags gloues & other things which lay in goody Harrises wich Margit tould me she fetcht som of these things herselfe: the day that marget went away she thretned if I tould of her that when father went abroad good hoar would send word & she would come & ly & goody horis burn our house."

Mary, wife of Heugh Woodbery, complained that she had lost childbed linen worth 1li. 10s.; a fine dowlas shirt worth 10s., and a fat weather worth 10s., making a total of 2li. 10s. Sworn, June 25, 1678, before Daniel Denison.*

Robert, son of Mr. John Hale, testified, "I have often heard marget Lord send Sarah to betty Jonsons to see Iff there weere a merry bout and said Iff Sarah would doe what shee bade hir the deuil should not ketch hir: she said she used to goe out of tuesday nights and thursday nights when m^{rs} Stockman was heer: about three hours after shee was gone marget shewed mee a fine handketcher and said shee had got mrs Stockmans handkercher: after Edward bond died marget was Frighted and shewed us Ribins of diuers Coulours which she offered to giue mee but I said I would not take any of hir stolen goods. shee said it may bee somebody will see it and owne it so shee burnt it in the fire: the sabath day goodwife dodge was buried I came home before my father and there was our marget and nancy hoar singing and dancing and then marget would in a laughing way say the

* Autograph.

Lord knoweth, the Lord haue mercy upon us what haue wee done, and then fall a danceing and tearing againe seuerall tymes: when I stayed with hir at home on Sabath dayes shee used to keepe much in the seller and one of the tymes this winter I saw hir in the seller sowing an handketcher. I heard hir say shee threw thirty four stones into the back well the next morning after John Edwards Cleered it: many times of late I haue heard hir say shee wished my mother were dead," etc. Also that Margaret called Goody Hoare mother and Nancie sister, and told him that she would brand him with a red hot iron if he told of her actions. She further said that she would burn Goody Stone and her daughter Abegall, and she told him that she went very often to Betty Johnson's merry bouts.

Mr. Roger Conant, aged about eighty-six years, deposed that about six or eight years since, William Hoar's two daughters, Mary and Elizebath came to his house to buy apples. While he was in the cellar, he had enough canvas stolen to make a lady's apron, no one being in the house but them. Later he met one of them and asked why they had stolen his canvas, and she replied that it was not she, if anybody, it was her sister.

Josiah Rootes'* complaint, dated June 25, 1678: "for neare twenty years together we haue ben Afflicted by hauing owr goods stollen At sundri tims And we not Abell To make due profe haue ben forced To sufer owr seuellfes To be wrownged in estat And name: And god by his prouidens hauing latlie discouered sum of Theas wakes of darknes wee Judg yt. To be owre duty To speake in vindication of Truth And Conuictcion of sine. . . . I lattly lost three sheeats And one shirte mor on wetther sheepe. And hauing lost savarall bushells of Appells I found elizabeth hoorses Apron in the way hardby my dore both shee And her mother owned the said Apron Another tyme hauing lost haye I sawe willuam hoore fetch such haye owte of his dwelling hows Chamber At Another time hauing loste english hay I found parte of the haye scatterd on the grownd As fare As hoorse hows And noe farther further when his daughter haris laid in her Child beed I fownd of my wood At said harises And she said her father hoore brought her the wood: sum whill sins humphri cooms or his Compani complained of hauing oylle stolen I sawe willuam hoore And his wife put An oylie barell in to the ground in a holle And Aboute Tow month After they solld oylle. Theas with manie mor Are the cawses of my suspecting willuam whore And his family To haue ben the Instruments of much euell: myself can wittnes That After my seruaut had Aquaintans with thair hows I cowlld keep nothing in safty that laye in my servants waie."

* Autograph.

Josiah Rootes, aged about sixty-five years, deposed that when Goody Hoar was taxed for stealing a bag of wheat meal from old Goodman Leach, he met said Leach carrying it home again who told him how cunningly she got it and how hard it was to get it back, etc. Sworn in court.

Susanah Roots, aged about fifty-three years, Mary, wife of Heugh Woodbery, aged about forty-eight years, and Sarah Roots, aged about twenty-four years, deposed that about two months ago they saw Mary, wife of Samuelli Harres and Tabitha Slew carry a parcel of small linen into Samuelli Harris' house. Sworn, June 25, 1678, before Daniel Denison.*

Josiah Rootes, aged about sixty years, deposed that he living near Samuelli Harris' house, saw linen hanging by the swamp side near Harris' house, and upon investigation found three white neckcloths for men, one marked I. B. among the linen, and they hung there three or four days until Mary Harris took them in. Jonathan Rootes, aged about thirteen years, affirmed to the substance of the same. Sworn in court.

Deborah Plumm, aged about twenty-one years, testified that when Tabitha Hoar was married Marget Lord was there and had on a fine lace handkerchief which had two darned places on the shoulders of it. Further that on one occasion she left Marget at Samuelli Harris' house at ten or eleven of the clock at night. Harris dared not hide Marget when she ran away. Sworn, June 25, 1678, before Daniel Denison.*

John Bonde, aged about seventeen years, testified that he had seen Marget Lord abroad at nights, at Goodman Morgan's until one or two o'clock in the morning, at William Livermore's until nine or ten, and at another time going toward Mackrill cove.

Samuelli Harris testified that Marget Lord was only once at his house in her life.

John Bond testified that he carried wood to Mr. Hale's house the past winter and found Tabby Hoare eating an apple pie, with her lap full of apples. While he was there Symon and Joan hors came in and said they had been at their sister Johnson's, etc. Sworn in court.

Mary Bootman, aged sixteen years, testified that at Tabbie Slew's wedding, etc. John Cook mentioned. Sworn, June 24, 1678, before Samuel Symonds,* Dept. Gov.

Ellin, wife of Wm. Bath, testified that Goody Hoar offered her pease to eat, which she said a friend gave her. Sworn, June 24, 1673, before Samuel Symonds,* Dept. Gov.

Deborah Morgan testified that Marget Lord sold her a bushel of malt for two shillings which she said she had taken from her mistress and deponent had been very much troubled about it. Further that last fall when Marget was sent to wash-

* Autograph.

ing at John Samson's house, as Hanna Bishop said, Marget would frequently come to their house and stand behind the shop looking after Thomas Verri and that many nights the past winter she came to the house very late at night. Many times deponent had bade Marget go away till they were asleep. Marget told deponent that the lawn handkerchief that she had, she bought of her sister Betty for 18d., and that her brother gave her the silk hood. Deborah said that Thomas Very would go to bed when Marget was there but Marget and Hana Bushop would sit up late together. One night she came at bedtime and Hana asked if she should let her in and deponent's husband refused, etc. Sworn, May 31, 1678, before Daniel Denison.*

James Browne, aged about thirty-one years, and Hannah, his wife, testified that about a month ago, Goodwife Johnson of Beverly, daughter of Goodwife Hoare, came into his shop and told him that Mr. Hale swore to have the blood or life of Margaret Lord or at least to have Margaret Lord whipped and set upon the gallows. Deponent also heard at Goody Lord's house, Goody Johnson say, etc. Sworn in court.

Mary Moss, aged about twenty-eight years, deposed that as she was looking one day for her master's pigs, she living with Mr. Hale about 1670, Goody Stone told her that she saw Goodman Hoar drive them away. She met Mary Hoer, now Mary Harris, and she said she saw them at her father's, but Goodwife Hoer denied that she had them, etc. Sworn, June 24, 1678, before Samuel Symonds,* Dep. Govr.

John Black, constable, testified that having a special warrant from the Worshipful Maj. Hathorn to search for a parcel of goods of Mr. Hale's and others, found in a box at the house of Samuell Harris a black silk hood and in the chamber of the house found a cut work stomacher, which were challenged by Mrs. Hale. In the house of William Hoar he found two parcels of silk called Naples silk and a jug of oatmeal. Both houses appeared to be rifled or at least emptied of all manner of linen. John Hill and Anthony Williams, who went with the constable, deposed the same. Sworn in court.

Mary (her mark) Ellenwood, aged a little above fourteen years, testified that just before Marget Lord ran away, Nancie Hoar told deponent that she was to have a new suit of clothes made and had black ribbons to tie her ruffles and her bracelets with. Marget hid in Goody Harris' barn when the constable came, and Mary Harris sent Daniell Harris for her. Upon opening Marget's bundle, there were found an apron, lace and a fine handkerchief, a pair of gloves, pair of ear knots and a silk hood. Mary Harris put them at the foot of her bed and said if the constable came, she would say they were hers, etc. Sworn, June 24, 1678, before Samuel Symonds,* Dep. Gov.

* Autograph.

Abigell Stone, jr., testified that being sent on an errand to Mr. Hale's, Marget Lord asked if Mr. Porsons had any handsome stuff to make a gown, and she told her he had nothing but serge. She said she would not have that, as she wished to have some handsome stuff. Upon asking her how she came by so much money, she replied that her brother had given her three pounds in money at one time. Further deponent testified that Marget had come to her father's house to buy some silk laces, as she pretended of Mr. Porsons, but the latter not being at home, her mother sent her into said Porsons' chamber to show her some gloves but when they were shown her, she said that she could not afford so much money. She bought a yard and a half of silver lace, and soon after deponent's mother missed a pair of Mr. Porsons' gloves. Sometime after this, deponent being ordered by Joseph Morgan's wife to look into a box at their house for something for the child, saw a pair of gloves and silver lace, etc. Sworn, Apr. 3, 1678, before Samuel Symonds,* Dep. Gov.

Abigall Stone, jr., testified that she saw Sarah Riggs, her mother's maid, when she lived at their house, have a necklace of green bugle beads long enough to go three times around her neck. She said that Marget gave it to her charging her not to wear it in that town for fear Mrs. Hale would see it and recognize it. Sworn, June 24, 1678, before Samuel Symonds,* Dep. Gov.

Abigall Stone, aged about forty-three years, testified that about the year 1670, when Mary Clark, now wife of Jonathan Moss lived with Mrs. Hale, there was a strange pig around their house, etc. Deponent had seen Marget Lord at Jonas Jonson's house in the evening and at other times. Sworn in court.

Abigall Ston, sr., deposed that she lost a great handkerchief with spots in it, a lace cap with running strings, a long neck-cloth laced at each end, with a black mark in the middle, which was John Bill's, etc. Sworn in court.

John Lovet, jr., aged about forty years, deposed. Samuel Hoar mentioned. Sworn in court.

Bethiah, wife of John Lovet, jr., aged about thirty-nine years, deposed that she saw Larance Leach take a bag of wheat meal away from the house of William Hoar, etc. Sworn in court.

Bethiah Lovet also testified that Goody Hore told her that she had wheat flour enough in the house to make two pies, also hops, etc. Sworn, June 24, 1678, before Samuel Symonds,* Dep. Gov.

John Lovet, jr., aged forty years, deposed that it was said Humphry Coomes lost a barrel of oil and some suspected that Goodman Hoar stole it. The next day deponent's

* Autograph.

father Roots and himself saw Goodman Hoar and his wife hitch along an oily barrel and turn it into a turnip hole and bury it. Later Sergeant White had oil of them for hay and John Fairfield bought a jar of oil there. Goodman Lambert said that his canoe was carried away and he found it on Bass river side at the end of Goodman Hoar's lot with the latter's paddle in it and oil spilt in the canoe. Sworn in court.

The wife of Humfory Horrell, aged about seventy years, deposed that on the last Fast day in the time of the afternoon exercises she saw Samuell Hore come out of the woods and pass by her house until he came to an old tree, under which he stayed until a shower was over. Then he came up to her as she was sitting in her doorway, asked if John Knit had not made fast his leanto yet, and asked her if she were not afraid that the Indians would kill her. She replied she did not fear the black Indians if the white ones did her no harm, etc.

Bill of cost of the constable of Beverly, 3li. 19s.

Killicrist and Mary Ross deposed that Mary and Elizabeth Hoare, as their names were then, lived with them, one after the other, and they were very trusty and faithful. Afterward Tabitha Hoar lived with them and she was such a lying creature that they could not believe a word she said and could keep her no longer.

Summons, dated June 25, 1678, to Ensign Samll. Corning as a witness, signed by Samll. Hardie,* for the court, and no return made.

Tabie Hore, alias Slew, testified that Margeret Lord showed her a great new silk hood since she left Mr. Lindall's, which she said she bought for eleven shillings at a merchant's. When she sent Sarah to borrow six pence of Mr. Hale, etc. Marget gave deponent a pudding bag full of hops, etc. Sworn, May 30, 1678, before Daniel Denison.*

Annice, alias Nancie Hoar, deposed concerning the thefts. Sworn, May 7, 1678, before John Hale* and Henry (his mark) Bayly. Said Bayley made oath, June 24, 1678, before Samuel Symonds,* Dep. Gov.

The examination of Tabitha, wife of Leonard Slew, disclosed the fact that her mother had sent the children to get many articles from Marget Lord, who had taken several linen clothes from Hugh Woodberies orchard, etc., the different articles taken being spoken of in detail. Sworn, May 31, 1678, before Daniel Denison.*

List of articles stolen by Margaret Lord as attested by John Hale* and Rebecka Hale,* amounting to 10li. 2s. 6d.

Rebeckah Haile, jr., deposed that she saw Sam. Hoare wear the sleeve and Naples silk, which Marget took from her mother, as a hatband. Symon Hore carried away malt on a

* Autograph.

William Dounton was admonished for striking Edmond Bridges.*

horse, and the Hoar children used to hang about the house when deponent's parents were abroad, lurking in the pigsty, sheep's house and cowhouse. She saw Marget give them a great many corall and pearl beads and much of her mother's black dyed cloth which the Hoars the next day would die a color.

Special charges against Mary Harris and Elizabeth Johnson.

Special charges against Marget Lord, Dorcas Hoar and her three daughters Mary Harris, Elizabeth Johnson and Annis Hoar made by John Dodge† and William Raiment.†

Charges against Dorcas Hoar for receiving stolen goods.

Queries for Goody Hoar to answer if she be clear of confederacy with Marget Lord: how could Tabbye and Nancie use so many bushels of Indian malt, wheat and pease in a little house with but one fire, and their mother so much at home and know nothing about it?

Charges against Mary Harris, as by the evidence.

*Warrant, without date, for the apprehension of Wm. Dounton, to answer for striking Edmund Bridges in his own house without cause, signed by Wm. Hathorne,† assistant.

Jno. Cooke, aged about thirty years, testified that sometime since Goodman Dounten was nominated in their town meeting in Salem for clerk of the market, after the first bell had rung on a Sabbath day morning, Edmund Bridges, sr., of Salem, came into deponent's house and told him about Dounten and Little West going into Bridges' house last night. Dounten struck Bridges two or three blows on the shoulder, saying, "Goodman Bridges, I thank you for hindreing me from being clarke of y^e markt." Bridges replied that he thought he had too many offices already, and although Dounten might have struck him in jest, he might take it in earnest, as he had heard the Major General say a man could do. Mary Cooke testified to the same. Sworn, 26 : 4 : 1678, before Edmund Batter,† commissioner.

Mathew Price deposed that after Dounton and West went away from Bridges' house, he and John Norton stayed a considerable while, filling their pipes and smoking a good part of them out, etc. Edm. Bridges testified to the same. Sworn, 22 : 5 : 1678, before Wm. Hathorne,† assistant.

Mathew Prise, aged about forty-eight years, deposed that Bridges was at supper when Dounten came into the house, etc. Sworn, 8 : 4 : 1678, before Wm. Hathorne,† assistant.

Hilliard Veren, sr., testified that coming by Mathew Price's shop, etc. He further testified that Dounten did not strike

† Autograph.

Edmond Bridges, for selling and drawing cider to be drunk in his house, was fined, which fine was respitted.

John Codner of Marblehead, released from common training, was ordered to pay 6s. per annum for the use of the company.

Samuell Morgaine was appointed administrator of the estate of Moses Morgain who was slain at Black Poynt, and was ordered to bring in an inventory to the next Salem court.

Samll. Condye's will* and inventory were proved and allowed.

Bridges in anger, and he would not have given the testimony for Bridges if he had had fifteen minutes to consider it. Sworn in court.

Bartholomew Gedney, aged about thirty-eight years, deposed that he asked Mathew Price if Downton had drawn blood or made Bridges face swell and his answer was, "the Lord bless mee, what a Question doe you Ask." His action was to clap his hand on his shoulder, and not in anger, etc. John Cook testified that the company who witnessed for Wm. Downton passed by his house going toward the town. Sworn in court.

Frances Nickkols, aged about twenty-eight years, testified that soon after John Norton and Mathew Pric passed by the place where he was at work, he went home, and just before he came to Edmon Briggess house, he saw Will. Downton and Henery West go into that house and quickly come out and go toward the town, etc. Sworn, 23 : 5 : 1678, before Edmund Batter,† commissioner.

Henry West, aged about forty-nine years, and John Norton, aged about forty years, deposed. Sworn, 10 : 4 : 1678, before Edm. Batter,† commissioner.

Edmond Bridges, jr., aged about eighteen years, deposed. Sworn, 8 : 4 : 1678, before Wm. Hathorne,† assistant.

Edward Flint and Jeremiah Neall testified. Sworn in court.

*Will of Sam (his mark) Condye, dated Feb. 9, 1677-8, proved by Richard Reade, 29 : 4 : 1678, in Salem court: "Imp^r That I doe giue my whole Estate To my wife Anne During The Terme of her Life after my Depts are paide and after the Death: of my sd: wife I giue It all To my Daughter Ane and her Children. only I doe giue to my granddaughter mary Hester greenes daughter The Cubberd that Nowe Is In This House and to Hester greenes soone Charles I giue thurty shilings when he Is of aboute fouer yeares of age If he Liue and To Hester greene I giue one of the pewter dishes

† Autograph.

Phillip Roundy dying intestate, Ann, the relict, was appointed administratrix. She brought in an inventory* and the estate was ordered to remain in her hands for her necessary use.

That was Her mother Rebecah Condys and one pewter Dish To my Daughter Ane That was Her mothers and I doe make my wife Ane Condry and my Daughter Ane Salter my full and whole Excexetrixes for paying all my Depets and Receiuing all Deptes and paying all Legaties." Wit: John (his mark) Brimblecom, Richard Reed,† John Pedricke,† Thomas Trefry† and Samuell (his mark) Reede. Sworn by John Brimblecom, June 25, 1678, before Moses Mavericke.†

Inventory of the estate of Samuell Condie, taken Apr. 30, 1678, by Moses Mavericke,† Samll. Ward† and Richd. Oliver,† and allowed, 29 : 4 : 1678, upon oath of An, the widow: two dwelling houses, two thirds of an orchard, a small barn, 65li.; 1 Cow and one yearling, 4li.; four yong swien at 8s., 1li. 12s.; 1 hatt, 2s. 6d.; 2 paier yarn stokin, 4s.; 3 red wastkots, 15s.; 2 paier of Cloth briches, 10s.; 1 Cloth Coat, 12s.; 1 Cap Cloth Coat, 7s.; 1 paier of woolen drawers, 4s.; 2 shirts, 1 paier of drawers, 10s.; 1 paier of sheets, 10s.; 2 pillow Cases, 3s.; 1 silk gras bed and boulster; three fether pillows, Curtins, bedsted, 2 old rugs, 2 blankitts, 1 sheet, 6li.; 1 paier of boots, 10s.; 1 table and a form, 14s.; 1 muskitt, 15s.; 1 Cutlas, 8s.; 1 pistoll, 5s.; 1 Chest and a box, 1li.; 2 Iron pots and 1 Iron ketl, 1li. 10s.; 1 paier of Indirons, 12s.; 1 paier of tongs and a pot Crock, 4s.; 1 spitt, 2s.; six pewter platters, 18s.; 2 plats, 5 poringers, 5s. 6d.; 1 beker, 1 Candlstik, a pint pot and a Cup, 2s. 6d.; 1 warming pan, 6s., 1 Lattin pan, 7s.; 1 Lanthorn, 2s.; a parcill of Earthen ware, 1s.; 1 pewter Cup, 1s.; old Chaires and other lumber, 5s.; 1 bras skillett, 2s. 6d.; 1-2 a maer and Colt, 15s.; total, 89li. 9s. Debts: to Richard Knott, docktor, 9s.; Vinson Stillson, jr., 1li. 1s.; John Walldron, 11s.; Thomas Dixsy, jr., 12s.; Thomas Hawkings, 13s.; Edward Homan, Copper, 14s.; Mr. Sam. Gardner, 1li. 15s.; Cristopher Lattemore, 16s.; Mr. Danell Welles, docktor, 1li. 10s. 6d.; Richard Hood of Linn, 1li. 10s.; Richard Rowland, sr., 1li. 15s.; Phillip Brimellcome, 1li.; Edmund Batter, 27li. 10s.

*Inventory of the estate of Phillip Roundy, deceased, appraised, June 24, 1678, by Richard Croade† and William Hollis,† and allowed, 27 : 4 : 1678, upon oath of Ann, the widow: a small feather Bed & small Bolster with Two little pillowes, a paire of pillow beers & a paire of Linnen sheetes & a paire of Blankets & a Rugg, all being well worne, also y^e

† Autograph.

Christian Bigford was appointed administratrix of the estate of her husband George Bigford, and brought in an inventory.* The estate was ordered to remain in her hands for the bringing up of her children.

Administration upon the estate of Edmond Towne was granted to Mary, the relict, who was to dispose of the estate according to the mind of the deceased, as by mutual agree-

bedsteed & old curtains & old canopy, 4li.; an old brase Kettle, 6s.; an old fire shovell & a paire of Tongs & a spitt, all little more in vallue then old Iron, 3s. 6d.; an old small Iron pott & poott hookes, 3s. 6d.; A Trammell & an old Fryeing pann, 4s.; 3 pewter platters, 8s.; 3 pewter porringers, an old pewter drinking cup & pewter Bole, 3s. 6d.; 6 old chaires whereof 2 or 3 Broken, 3s. 6d.; 1 Table with an oake leafe about six foote Long, 10s.; 1 Little old Table & a chest, 5s.; 3 Latten dripping pannels, 2s.; one very small Trundle beadd being but Few Feathers in it, with ye Bedsteed and that Little Furniture belonging to it, 1li. 10s.; a Letten candlesticke, 6d.; total, 7li. 19s. 6d. Possibly some debts that may be owing to this estate but what ye widdow cannot tell, neither doth shee know how much ye abovesaid estate of her deceased husband's may be indebted, "Therefore ye poore || widdow || humbly requests this honored Court to direct her in a way what to doe in this her desolate case that shee may be cleare & also that shee may haue some consideration out of ye estate towards ye maintenance of her poore orphan since her Fathers decease to this tyme."

*Inventory of the estate of the husband of Christian Beckford, taken at Marblehead, June 26, 1678, by Willam Woodst† and Robert Bartlett:† to old Rooges, 17s.; three old bed blancketes, 12s.; one old hameck, 5s.; three old feather pelares, 12s.; one Canvas Cattail bolster, 2s.; one old feather bead, 2li. 10s.; one old pare of Cortenes, and fanenes, 1li. 5s.; one pare of shetes, 10s.; one bedstead, 4s.; to Eiaren potes and Cetell, 1li.; to pare of pot Crockes, 3s.; one frian pan, 2s. 6d.; one Croock for to hang the pot in and one par of tongs, 5s.; tools, spardes and one hoo and one billhook, 6s.; to seefes and one pare of beles, 3s.; six puter dishes, one quart, one to quart bason, one salt selar, 1li. 12s. 6d.; three porengeres and on bole, 2s. 6d.; som earthen potes and deshes, 6s.; fouer old bareles and to spening wheelles, 12s.; one bras skelat and one box and heateres and one Lamp, 7s.; one wascot and one par of breches, 1li.; one bibell and to small boockes, 5s.; one Chest and to boxes, 8s.; total, 13li. 9s. 6d.

† Autograph.

ment of all surviving persons concerned, which writing* was allowed. An inventory was also presented and sworn to.

Administration of the estate of Mrs. Eliza. King was granted to Mr. Ralph King, who presented an inventory† of the estate.

*Nuncupative will of Edmond Towne, proved by the widow, 27 : 4 : 1678, with the consent of all the surviving persons concerned: "The Intent and purpose of Edmond Towne presented by mary his wife Conscernin his estate . . . that the four sonnns shall haue all the Lands Equally devyded amongst them, And the rest of the estate to be Equally devyded amongst the 5: garles only Sarah the secong Daughter is already marryed and Hath resciev'd to the vallue of twelve pounds already. Soe Leaveing my Cause to god, and to your Honnors searious Consideration I subscrybe myselfe Mary Towne."‡ Provision was to be made for the widow's thirds to be taken out first. Jacob Towne deposed that Thomas Towne, eldest son of Edmund Towne, deceased, declared himself to be satisfied with an equal share with the rest of the children. Sworn in court.

Inventory of the estate of Sergeant Edman Towne, taken at Topsfield, May 3, 1678, by Frances Pabody‡ and Thomas Baker,‡ and allowed, 27 : 4 : 1678, in Salem court: Books, 1li.; wearing clothes, 7li. 14s.; linning sheetes and neckpins, 11li. 6s.; house and landes on the north of the Riuer, 220li.; upland and mado on the south side River, 72li.; five oxen and seven coues, 52li.; young Cattel, 19li. 17s.; shepe and lambes, 6li.; two horssees, 7li.; swine, 8li.; iron tooles, 3li.; kittels and potes and other iron ware, 4li. 4s.; peuter and earthing ware and glas, 2li. 15s.; swordes and gones, 4li. 6s.; wheles and other lumbur, 6li. 3s.; a cubbard and cheastes, 2li. 10s.; bedsted and beddin, 16li. 10s.; pillin and saddel, 2li.; wooll and flax, 17s.; five barreles of sider, 2li. 10s.; wollin and linnin yarne, 2li. 10s.; home spon cloath, 7li. 10s.; corne and porke, 4li.; for halfe the farme which was given to Sargent Toune in Reversion by Thomas Browning;§ total, 453li. 12s. Depts owing, 26li. 3s. 3d.; by the death of one cow, 3li. 10s.

†Inventory of the estate of Mrs. Elizabeth King, deceased, taken May 26, 1678, by William Bassett‡ and Thomas (his mark) Farrar, and allowed, 29 : 4 : 1678, in Salem court: one long table and Joyn Stools and a chist, 1li. 17s.; two great chayes, 3 cushins and a carpit, 1li. 7s.; one small table, one bedsted, one prest and cabbin bed and trundle bed, 1li. 18s.; one trunk, one chist, pewter, brass and skellet and Iron ware, 2li. 13s. 6d.; a payer of Stilliards head pece and corslit, 10s.; courtins and vallanc, a Rudg and 2 blankets, being very old,

‡ Autograph.

§ This item crossed out in original.

Samll. Shatock, sr., and Samll. Shattock, jr., administrators of the estate of Edward Wharton, brought in an inventory, to which they made oath, and they were ordered to carry out the will of deceased as appeared by a writing* given in upon oath expressed a little while before he died.

a *back ford*, 14s.; baskets, beds and bedcloths belonging thereto, 4li. 14s.; linning, 5 sheep and lambs, 2 silver spoons, a crank for a grindstone, 5li. 12s.; an ould horse, 10s.; a bed and bolster, 1li.; a small old tramell and old bellows, 4s.; total, 21li. 19s. 6d. "my mother in here liue time disposed of her waring aparrell by her perteculer desire to her grand dautor hannah blaney, alsoe my mother in her liue time gaue to her dautor sarah nedom one bed and boulster at her decease which is not Inuentered And alsoe to my self one greate bibill and a small siluer dram Cup and to my wife a siluer wine Cup which is not In the Inuenterec."

Debts due from the estate of Mrs. Elizabeth King, executrix of the will of Mr. Danill King: to Ralph King, attorney to Elizabeth King in behalf of the children of Hanah Blayner at two courts at Salem petitioning, 3li. 3s.; in the action against Blainer as we sued in her Right and what he the said blayner Recouerd against us and that which we expended on that account, 14li. 15s. 4d.; to Docter Knott, 12s.; to Docter Weels, —; to my mothers funerall Charges, 5li. 10s. Sworn by Ralph King† June 29, 1678, in Salem court.

*Samuell Shattock, sr., aged about fifty-eight years, deposed that he was often with Edward Wharton in the time of his sickness, the latter having desired him to look after his estate as per a writing under his hand, and was of good understanding when he spoke as follows: "he said he would giue five pounds towards a burrying place, and he said he did giue to Mary Trask the wife of Henry Trask five pounds: alsoe he did giue to Hannah Sibly widdow five pounds: alsoe he did giue to Sarah mills & her children ten pounds, all which he often expressed in the time of his sicknes, & as he drew neere to his end: he expressed the same before other witnesses: and I asked him what should become or how he disposed of the remainder of his estate, after all things were cleered, as debts & legacies he said it should goe to his Brothers. Samll. Shattocke,† James Mills."† Martha Robinson affirmed as in the presence of God and this court, before Hilliard Veren,† cleric. "he alsoe told me that his vice should be returned to England amongst his kinred, for he said it was his fathers before him & it should be returned into the Generation & that his eldest brothers son bore his fathers name & he should haue it."

† Autograph.

"And further he said as for his tract of land lying at Shrewsbury at New Jarsy: which he purchased with other purchasers, of the Indians, he told me he had sold one half of it, when he was in England to one John Harwood marchant in London & had taken pay for it & further said he had ordered one John Starke to settle upon it & soe to keep it in possession for him & his freind the other partner, & told me he would giue him twenty acres of land in his will. Samll. Shattocke* and James Mills.* Samuell Shattock, sr., affirmed as in the presence of God and this court, before Hilliard Veren,* cleric.

"And further the said Edward wharton did expresse himselfe and say that John winditt a youth which he brought with him out of England: viz: his sisters sonn (whome he tooke as his owne & did intend he should share in part of his estate, as he haue exprest to some) the said Edward wharton, being asked when he was like to dye, if the said youth should be sent to England to his mother he answered yea (& I doubt not but he intended the boys mother should haue a part of his estate as alsoe the youth) but being after six weekes Illnes (not app^rhended dangerous) he was taken in very great extremety & after that liteness of head, that he was unable of making an orderly will), & though I was with him often in order there unto, but he would put it of untill another time, hoeping he might gett up a day or two to looke after som writings, & to understand his estate the better before disposall as I did Judge) by which meanes things were deferred, but not app^rhending his condition soe dangerous, as it after proued, I was not soe urgent upon him about his will as other wise I should haue beene he was taken verry sudent about three dayes before his death only one smale respitt he had, in which before seuerall witnesses he confirmed the four legacies & the remainder to his brotheres as is before exprest."

Samll. Shattock* certified that "Divers other smale legacies he gaue to severall that came to see him in his sicknes neere his end; & forty pounds to the youth but in these things he was || not || soe distinct in his understanding as when he exprest the last aboue written, it being in the time of the two or three last days he liued || before his end || & I canot giue Testimoney to it as his will, he not being of a disposing mind."

"Edward wharton haue two brothers in England by father & mothers side: & one brother & sister by the mothers side: & this brother is in verginea. he dyed y^e 3^d of y^e 1st month 1677-8."

Inventory of the estate of Edward Wharton, deceased, and what goods were in his possession, consigned to him by several, taken 12 : 1 : 1677-8, by Hilliard Veren, sr.,* John Hathorne* and John Higginson, jr.,* and allowed, 27 : 4 :

* Autograph.

1678, in Salem court, Samuell Shattock, sr., being a Friend, affirming and Samuell Shattock, jr., making oath to the truth of the same: Valued in England as by Invoice, 1 plaine cloath cloake, 1li. 8s.; 1 boyes worsted cloake, 1li. 5s.; 1 heare camlett cloake, 2li. 18s.; 5 cloath cloakes, 28s. p., 7li.; 1 cloath cloake, 1li. 8s.; 1 fine cloath cloake, 1li. 15s.; 1 cloath cloake, 1li. 12s.; 6 cloath cloake, 28s. p., 8li. 8s.; 3 childs stuff coates at 9s., 1li. 7s.; 1 yeolow Tamy, 10s.; 1 ditto, 13s.; 1 boyes coate, 13s.; 1 doz. home made wooll hose, 1li. 14s.; 1 doz. ditto, 1li. 10s.; 8 pr. of youths ditto, 14s.; 10 pr. of woemens home made wooll stockens, 1li. 2s.; 7 pr. of sale wooll hoase, 10s. 6d.; 17 pr. of woemens & youths stockens, 14s. 10d.; 7 pr. of home made woemens 4 thrid, 3s. 2d. p., 4 pr. ditto sale 4 thrid, 3s. 4d. p., 1li. 10s. 10d.; 4 pr. youths 4 thrid ditto, 3s. 4d. p., 3 pr. youths ditto, 3s., 1li. 2s. 4d.; 4 pr. of wooll home made hose, 14s.; 1 pr. mens worsted home made stockens, 5s.; 8 pr. of home made worsted: 4 thrid, 1li. 14s.; 6 pr. sale ditto, 18s.; 2 pr. of fine home made, 10s.; 1 childs coate, 7s.; 1 greene say frock, 5s.; 9 childs wascoates, 5d. p., 3s. 9d.; 6 Ditto, 7d. p., 3s. 6d.; 5 Ditto, 9d. p., 3s. 9d.; 4 Ditto, 10d. p., 3s. 4d.; 2 Keasy ditto, 2s. 6d., 5s.; 1 ditto, 2s. 8d.; 2 ditto, 3s. p., 6s.; 6 childrens, 12d. p., 6s.; 4 woemens yeolow wascoate, 22d. p., 7s. 4d.; 1 Cloake of lite collrd. haire camlett, 3li. 7s.; 4 coates of the same camlett, 36s., p., 7li. 4s.; 1 cloath collrd. haire camlett cloake, 35s.; 2 worsted camlett cloakes, 34s., 3li. 8s.; 1 fine haire camlett cloake, 5li.; 2 trunks, 16s.; 3 ditto, 1li. 1s.; 1 ditto, 6s.; 2 dittoes, 5s. p., 10s.; 2 boxes or little red trunkes, 3s. 2d. p., 6s. 4d.; 1 ditto, 2s. 8d.; 3 silk say under pettecoates lite collrd, at 12s. 6d. p., 1li. 17s. 6d.; 2 Ditto, 1li. 8s.; cloath woemens wascoats, 8s., 7 ditto, worth each 8s., 10s., 8s., 10s., 6s., 13s., 15s.; 1 cheny sad: collrd. uper woemens coate, 7s.; 1 sad collrd. woemens searge coate, 17s. 6d.; 1 black fine searge upper pettecoate, 19s.; 1 stuff cloake for woeman, 10s.; 1 ditto for a girle, 7s.; 1 large worsted Rugg lite collrd, 1li. 14s.; 1 large sad collrd. ditto, worsted, 18s.; 1 ditto worsted sad collrd, 1li.; 6 greene & blew plaine Rugg, 8s. p., 2li. 8s.; 1 sad callrd thrum Rugg, 11s. 6d.; 1 cabbinn Rugg, 4s. 8d.; 1 Cource 8-4 Rugg, 10s.; 3 coverleds, ordinary, 6s., p., 18s.; 2 ditto at 5s., 10s.; 2 coverleds, large at 7s. 6d., p., 15s.; 1 smale one, 6s. 6d.; 1 red plaine rugg, 8s.; 1 peece wt. cotten, 19s.; 1 darnex carpett, 5s. 6d.; 1 ditto greene, 6s. 6d.; 4 pr. wt. drawers, 10s.; 6 peeces of searge at 40s., 12li.; 7 peeces narrow searge at 25s., 8li. 15s.; 1 peece padaway searge, 2li. 15s.; 13 yds. clarett collrd Tamy at 19d. p, 1li. 1s. 1d.; 1 large draft lite collrd, 14s.; 1 2d sort, 12s.; 1 small ditto, 10s.; 1 doble 10 qrtr. coverled, 1li. 4s.; 1 ditto, 9 qrts, 1li.; 2 dittos, 8 qrts., 15s. 6d. p, 1li. 11s.; 8 yds 3-4 striped Tamarene at 18d. p, 13s. 1 1-2d.; 12 yds. 3-4 Turky mohaire

2s. 10d. p., 1li. 16s. 1 1-2d.; 6 yds. 1-4 of striped stuffe at 22d. p, 11s. 5 1-2d.; 9 yds. striped camlett, 2s. 4d. p, 1li. 1s.; 1 peece oringe collrd worsted draft, 2li. 5s.; 14 yds. Haire camlett, 3s. p, 2li. 2s.; 10 yds. of ash collrd. silk moheare, 4s. p, 2li.; 6 yds 1-2 of ash collrd silk farrendine, 4s. 6d. p, 1li. 9s. 3d.; 12 yds ash collrd. haire camlett at 3s. p, 1li. 16s.; 1 peece sad collrd. stuff, mixt with Gold collrd, 2li. 10s.; 24 yds. flowered silk draft, 2s. p, 2li. 8s.; 13 yds. striped vest at 22d. p, 1li. 3s. 10d.; 18 yds. Scotch Tabby at 16d. p, 1li. 4s.; 16 yds., Scotch Tabby at 16d. p, 1li. 1s. 4d.; 10 yds. Tiking at 15d. p, 12s. 6d.; 8 yds. padaway at 2s. 6d. p, 1li.; 7 yds. of Linsy at 12d 1-2p, 7s. 6d.; 2 pc. boyes cotten drawers, at 2s. p., 4s.; 3 cotten wascoate at 2s. 10d. p, 8s. 6d.; 2 pc. blew drawers, 2s. 5d., p., 4s. 10d.; 1 boyes haire sad coll. camlett cloake, 2li. 15s.; 1 large flanders tike & bolster, 1li. 9s. 6d.; 30 yds. of upper Tiking, at 18d. p, 2li. 5s.; 42 yds. diaper at 15d. p, 2li. 12s. 6d.; 12 yds. of Tabling, 2s. 6d. p, 1li. 10s.; 21 yds. of diaper for napkins, 18d. p, 1li. 11s. 6d.; 2 pillow Tikins, at 2s. 2d., 4s. 4d.; 1 light coll. boyes cloake, 1li. 12s.; 2 yds. 1-4 of plush at 8s. p., 6s. 9d.; 20 tobaco boxes at 1d 1-2 p, 2s. 6d.; 3 ditto at 20d. p doz., 3 3-4d.; 4 brass roles for chalk lines, 5s. 6d. p doz., 1s. 10d.; 8 ditto large at 6s. 6d., p doz., 4s. 4d.; 8 chalk lines at 18d. p doz., 1s.; tinware, 4 Cullenders, 5s. 4d.; 6 ditto, 5s. 6d.; 2 doz. wood savealls, 3d. 1-2 p, 7d.; 1 large kete, 2s. 3d.; 1 next size, 2s.; 8 6 qrt. Ketles, 14d. p., 9s. 4d.; 3 gallon Kettles, 12d. p, 3s.; 53 qrt. Kettles, 9d. p., 3s. 9d.; 2 3 pt. Kittles, 7d. p, 1s. 9d.; 5 best savealls, 2s. 4d. p doz., 11 1-2d.; 11 second sort at 8d. p doz., 7 1-4d.; 3 exstinguishers, 8d. per doz., 2 3-4d.; 3 doble plate pans, 18d., p., 4s. 6d.; a doble puden pan, 9d.; 2 midle sised lanthornes, 18d. p., 3s.; 4 band candlesticks, 5d 1-2 p, 1s. 10d.; 5 tinder boxes & steele, 7d. p., 2s. 11d.; 4 writing candlestickes, 2d 1-2 p, 10d.; 2 pt. sace pans, 3s. 8d. p doz., 7d.; 3 bread or flower boxes, 3d. 1-2 p., 10 1-2d.; 4 Casters, 2d p., 8d.; 1 peper box, 2d., 1 fish plate, 8d., 10d.; 6 smale bread graters, 8d. p doz., 4d.; 2 pts. at 3d. 3-4 p., 1 funell, 4d., 2 covers, 8d. p., 2s. 3 1-2d.; 3 brass savealls, 7d. p., 3 larger graters, 3 1-2 p., 2s. 7d.; 2 egg slices, 2d. 1-2 p., 5d.; 3 whip sawes & tillers, 5s. 6d. p., 16s. 6d.; 2 marking Irons, 2s., 1 cloase stoole & pan, 8s. 9d., 10s. 9d.; 2 steele handsawes with screws, 3s. p., 6s.; 1 large steele hand saw, 2s. 2d.; 8 hand sawes at 14d. p., 9s. 4d.; 1 hand-saw, 10d.; 2 faling Axes, 1s. 5d., 2s. 10d.; 8 bright smale Hamers, 6d. p, 4s.; 9 Rivited hamars at 10d. p., 7s. 6d.; 2 hamers, 4d. p, 8d.; 5 hamers, steele heads, 10s. p. doz., 4s. 2d.; 4 choppers at 15s. p. doz., 3s. 8d.; 2 mincing knives, 12d. p., 2s.; 7 small ditto, 13s. p doz., 7s. 7d.; 9 hatchetts, 12d. p., 9s.; 7 smale mincing knives, 9s. p doz., 5s. 9d.; 3 steele sawes & screwes, 3s. p., 9s.; 5 doz. 8 gimletts at 12d. p doz., 5s. 8d.;

27 pensills at 8d. p doz., 1s. 6d.; 10 percer bitts at 2d p, 1s. 8d.; 1 large pincers to shoos horses, 1s.; 3 curry combs, 10d.; 2 large ditto, 6d. p, 1s.; 1 pr. spincers for shoemakers, 1s.; 5 pr. nippers, 4d. p, 1s. 8d.; 2 bundles of files, 20d. p bundle, 3s. 4d.; 12 doz. of strait all blades 5d. p doz., 5s.; 7 doz. crooked blades at 5d. p doz., 2s. 11d.; 14 doz. of fire steels at 6s. p grosse, 7s.; 21 pr. of spurrs at 7s. p doz., 12s. 3d.; 8 pr. dove tails at 2 1-2d. p, 1s. 8d.; 22 pr. sid hinges, 3d. p., 5s. 6d.; 6 pr. Esses at 8d. p, 4s.; 1 smooth Iron, 1s. 4d.; 3 dble spring locks at 20d. p, 5s.; 1 single ditto, 9d.; 2 doz. trunk locks at 6s. p doz., 12s.; 1 doz. of single ditto, 3s. p, 3s.; 1-2 doz. large ditto, 4s.; 2 ship scrapers, 2s.; 6 pr. Coll. yarne mens hose, 12s.; 6 pr. worsted ditto at 3s. 4d., 1li.; 12 pr. stockens, 7d. p, 7s.; 7 pr. ditto, 9d. p, 5s. 3d.; 6 pr. ditto 8d. p., 4s.; 6 pr. ditto at 5d. p, 2s. 6d.; 10 pr. ditto at 6d. p, 5s.; 6 pr. ditto at 13d. p, 6s. 6d., 5 pr. ditto at 18d. p, 7s. 6d.; 1 pr. fine woemens red worsted, 3s.; 2 pr. mens worsted 3s.; 2 pr. mens worsted black & colld, & 1 pr. white, 7s. 6d.

Valued heare as money in N. England: 2 linsy woolsey petticoates, 6s. p, 12s.; 1 little boyes coate of camlett worsted, 6s.; 2 linsey woolsey & 1 pr. of fustian draws, 9s.; 1 pr. linen drawers, more, 3s.; 1 boyes coat, 4s.; 2 red childs blanketts bound wth feret, 4s. p, 8s.; 1 smale childs camlet petticoat, 3s.; 9 sashes at 12d., 9s.; 50 yds. of Irish searge at 2s. 2d. p, 5li. 8s. 4d.; 10 yds 1-2 broad worsted camlett dble, 2s. 6d. p, 1li. 6s. 3d.; 16 1-4 yds. narrow camlett, 1li. 12s. 6d.; 20 1-4 yds. mixt stuff, very bad, 12d. p, 1li. 3d.; 14 yds. new Coll. Stuff at 2s. p, 1li. 8s.; 1 ell of farrindine, 2s. 4d. p yd., 2s. 11d.; 6 yds. coll. fustian, 14d. p, 7s.; 3 yds. red p petuana at 2s. 6d. p, 7s. 6d.; 6 yds. 1-4 greene say at 5s. p, 1li. 11s. 3d.; 42 mens & woemens shifts, 4s. 9d. p, 9li. 19s. 6d.; 12 youth & girls ditto, 3s. 6d. p, 2li. 2s.; 8 finer mens & woemens ditto, 6s. 6d. p, 2li. 12s.; 5 white dimity wascoates, 3s. 6d. p, 17s. 6d.; 1 yrd. 1-2 cambrick, 4s. 6d. p, 6s. 9d.; 2 ends of fine wt. callico, 20s. p, 2li.; 2 peeces broad white calico, 40s. p, 4li.; 2 peeces cource holland, cont. 69 yds. 30d. p, 8li. 12s. 6d.; 5 1-4 yds. fine dowlas at 2s. 6d. p, 13s. 1 1-2d.; 7 yds. cource dowlas at 20d. p, 12s. 6d.; 1 ell cource holland at 2s. 6d. p, 3s. 1 1-2d.; 9 yds. scimity, 6s., 2 peeces of dimity, 6s. p. 18s.; 1 callico table cloath, 7s. 6d.; 2 callico shirts, 6s. p, 12s.; 2 callico painted table cloathes, 8s. p, 16s.; 1 large ditto, 14s.; in English money, 2li. 7s.; New England money, 99li. 4s.; Spanish money, 1li. 16s.; 1 peece of goold, 20s., 3 rings, about 25s., 2li. 5s.; a dram cupp, 6s.; 3 yds. fine greene say at 6s. p. 18s.; 3 cloath coates at 20s. p, 3li.; 1 cource gray youth coats, 10s.; 7 yds. 1-2 of striped linen 16d. p yrd., 10s.; 1 silk thrum Rugg, 2li.; 28 pr. plaine shoos, 4li. 4s.; 15 pr. fale shoos & 2 pr. woemens, 3s. 6d. p, 2li. 19s. 6d.; 9 straw hats, 2s. p, 18s.; 2 pr. fishing booties at 14s. p., 1li. 8s.;

6li. of combed worsted at 2s. 6d. p, 15s.; knives, 5s., 2 spoones, 6d.; 6 1-4li. wt. suger at 8d. p, 4s. 4d.; 6 brushes, 18d., 1 pr. smale stilliards, 4s., 5s. 6d.; 8 1-2 oz. pins, 10d. p, 7s. 1d.; 2 peeces 1-2 ferrett, black Ribbond, 12d. p, 1li. 10s.; 5 gross & 1-2 thrid, buttens, 15d p, 6s. 10 1-2d.; about 2 gross thrid laces at 9s. p, 18s.; 1 gross great buttens upon cards, 3s.; 2 doz. 1-2 tweezers, 3s. 6d. p doz., 8s. 9d.; 3 childes swathes, 8d. p., 2s.; tape & filliting, 2s.; 10 oz. fine thred, 12d. p., 10s.; a little pcell of thrid of severall coll., 1s. 6d.; 13 pr. sissers, 4s., 1 gross thrid, wt. buttens, 18d., 5s. 6d.; 19 yds. red Ferrett, 4d. p. yrd., 6s. 4d.; blew tape, 4d., green cotton ribbon, 4d., silk, 18d., 1s. 8d.; 1 pr. bodies, 3s. 6d., 1 woemens worsted cap, 12d.; 6 pr. childes yarne gloves, 3s.; 11 yds. green ferrett, 4d. p., 3s. 8d.; 6 doz. pack needles, 5s.; soweing needles, 6d.; 4 oz. peper, 6d., 3 pr. spectacles, & 5 cases, 22d.; 16 yds. yellow taffaty Ribbond, 3d. p, 4s.; 6 boxes of Lockeers pills & papers, 24 yds. 1-2 silk galoone, 2s. p. doz., 4s.; 16 contry Ruggs & 2 cradle ditto waying 223li. at 14d. p. li., 13li.; 8 Bushells of pease at 3s. p, 1li. 4s.; 1 old sheete of cource canvas, 2s.; 1 old table, 6s., 1 brasse yoare, 20s.; 1 perpetuance under pettecoate, 9s.; 1 woemans Shamare lined, 16s.; a womans Jerkin, 6s.; 1 pr. wooll cards, 1s.; 8 hand basketts, 12d. p, 8s.; 60li. of sheeps woll., 6d. p bagg, 2s., 1li. 12s.; 2 saddles & stirrops, 1li. 4s.; 4 Iron plates or fenders, 3s. p., 12s.; 125li. of sheeps wooll at 6d. p, 3li. 2s. 6d.; 4 baggs, 2s. p, 8s.; hops & a bagg, 2s.; 3 smale skins, 8d. p, 2s.; 79 narrow brimd. hats, 2s. p, 7li. 18s.; 1 new, 10s.; 4 bands, 4s.; 1 boyes w^t caster, 3s.; a large chest, 7s.; 2 tray maker adses, 3s.; 1 square & a broaken one, 1s. 6d.; 2 coop. axes, 30d. p, 5s.; 1 bill, 12d., 3 hollow shaves, 12d., p, 4s.; 2 cooper adses, 2s. p, 1 pr. sheers, 12d.; 3 doz. 9 curtaine rings, 1s.; 4 large, 6 smale shaves, 6s.; 7 shooe punches, 6d. p, 3s. 6d.; 9 pr. Hinges, 5d. p, 3s. 9d.; 2 gouges, 2 chessell, 4d. p, 1s. 4d.; 1 tinder box & pump nailles, 1s. 6d.; 1 coopers knife, 10d.; 5 staples, 12d.; 4 bolts, 2s.; 1 auger, 12d.; a rasp & smale auger, 1s.; 5 pr. sissers, 12d.; a pewter salt, 12d.; 3 pr. snufffers, 18d.; a standish, 2s. 6d.; 6 cod hookkes, 12d.; 1 bed quilt, 10s.; 1 thousand & 1-2 of pins, 1s. 1 1-2d.; 21 doz. of w^t thrid buttens, 18d. p grosse, 2s. 7d.; pewter Bottle, 9d.; pcell of beaver stones, 2li. 10s.; 2 pr. small scalls & som waites, 6s.; a glasiers vice & moulds, 4li.; a pcell of glass, drawne lead, sodering to mak up about 200 or 300 foot of glass, 4li.; 29li. cheese at 3 1-2d. p li., 8s. 5d.; 1 B. 1-2 wheat, 3s. 6d., p. 3 bagges, 3s., 8s. 3d.; 6 old shirts, 7s., 5 very old sheetes, 15s., 1li. 2s.; 2 old drawers, 2s.; 3 wascoates, 8s.; 4 pillow beeres, 6s.; 1 table cloath & 4 naptkins, 6s.; 1 chest, 5s.; 1 sash, 12d.; 1 carpett, 18d.; 1 bed pan, 5s.; 1 brass chafin-dish, 3s.; a fether bed & bolster, 2 blanketts, 7 pillowes, a rugg & bedsteed, 7li.; a pcell of pack cloath, 7s., a hamer,

18d., 8s. 6d.; his woollen wearing apparell, 5li.; 1 chest, a smale table & 2 old cushions, 12s.; 2 old seives, 10d.; 1 bed, bolster, 1 pillow, 2 Ruggs, bedsteed & blankett, 4li. 10s.; 1 old trunk marked E. W., 3s.; some odd trifling lumber, 2s.; 2 tables, 4 Joyn stools, 18s., tinn ware, 14s., 1li. 12s.; brasse ware, 1li.; pewter, 35s., 2 spitts, 2 fire pans, 8s., 2li. 3s.; 2 Iron potts & a skillett, 12s.; 4 razors, 1 pr. sissers & a hoand, 9s.; some Indian dishes & other lumber, 8s.

Furrs: 49 Racoone skins, 12d. p, 2li. 9s.; 38 fox skins, 2s. 6d. p, 4li. 15s.; 2 woolves skins, 12d. p, 2s.; a cub beare skin, 1s.; 31 Otter skins, 6s. p., 9li. 6s.; 4 wood chuck skins, 21d. p, 7s.; 21 martins & sables at 15d., 1li. 8s. 3d.; 7 musk-quash, 6d. p, 3s. 6d.; about 50li. beaver, 6s. p., 15li.; 13 B. mault, 3s. p, 1li. 19s.; 150li. oacum, 25s., 3 pecks wt. salt, 1li. 6s. 9d.; 36 gall. Rume, 2s. p, 3li. 12s.; 2 new chests with ticks, 6s. p, 12s.; 4 new barrells, 8s.; 2 shovells, 18d. 30li, sheeps woole, 15s., 16s. 6d.; 1 bagg, 18d., 200 foot of board, 8s., 9s. 6d.; 2 B. wheate, 3s. 6d. p, 3 p. Ry, 3s. p B., 9s. 3d.; 6 B. pease, 3s. p., 1-2 B. Beanes, 19s. 6d.; 11 hides, 5s. p., about 600 foot bord, 3li. 19s.; 16 B. Indian corne, 2s. p, 1 barrell, 2s., 1li. 14s.; 6 chests, 6s. p, about 13 C. spanish Iron, 2s. p., C, 14li. 16s.; 2 barrells of porke, 50s., 5li.; almost 2 barrells of tarr, 7s. 6d. p, 15s.; 100li. tobacco at 3d p, 1li. 5s.; 11 moose skins, 5li. 8d.; 2 Racoones, 12d. p, 2 sealls at 12d. p, 4s.; 1 hhd. 1-2 passader wine much decaid, 4li.; pt. of 5 barrell very much decaid & pricked madera, —; 2 hhd. mallasses nott full, 5li. 10s.; an old small catch exceeding out of repaire almost worne out, both Hull & all apprttenances, valued by Mr. Bar. Gedney & John Norman, ship carpenters, 15li.; a dwelling house & land neere the meeting house & apprttenances, 80li.; a smale peece of land part of a frame for a warehouse & wharf, not finished & stones upon the ground, 14li. 10s.; a small pcell of timber & old board, 10s.; an old smale cannoe, 10s.; a horse runing in the woods if alive, —; a remant of stuff, 2s.; a pcell of land at New Jerzey but doe not know the quantity yett & some goods at som other places not yett knowne what they are, —; total, 630li. 6s. 5 3-4d. Samll. Shattock's* account of the debts: To several in England above, 300li.; to several in New England which cannot yet be known how much, nor Justly what yt is in England, but as himselfe said when he was sick & I ptly finde it by Invoys of Goods.

Appraised since the foregoing, goods brought home from the eastward as cost per invoice: 2 coates, 19s. p coate, 1li. 18s.; 2 coats, 16s. p, 1li. 12s.; 3 white childs coates, 1 at 11s. & 2 at 14s., 1li. 19s.; 2 coates, 19s. p, 6 or 7 yeare old, 1li. 18s.; 1 Coat tamet, 16s.; 1 boyes coate, 13s.; a flanders

* Autograph.

Fined by the Worshipfull Maj. William Hathorne:

On 4 mo. 1678, Jeremiah Line, for being drunk, his brother paying the fine.

On 7 mo. 1677, John Beckett and John Clifford.

On 5 mo. 1677, Thomas Freind, Hoeman's servant, and Hoper and his wife.

— Broadway, for being drunk and swearing more than two oaths.

— Bennet, whose fine was paid by William Nick.

Peeter Frost, Capt. More's man.

One of Lin fined for excess in drinking.

— Rogers, the wheelwright, for beating three boys.

On 3 mo. 1678, Phillip Welch, for abusing Robt. Bartlet, tithingman.

Ely Eaton, for drinking too much.

On 13 : 6 : 1677, — Tuckerman, for making insufficient shoes.

Gilbert Peeters, for abusing the marshal.

On 4 mo. 1678, John Wilkinson, for drunkenness and stealing.

On 14 : 5 : 1678, John Cloyd, for swearing more oaths than one at a time or to be whipped.

John Backley, for being too familiar with a young woman called Christian Williams of Marblehead.

Clement Coldom was allowed for work done upon the county bridge at Line to be paid by the County Treasurer.

Following were chosen and allowed as tythingmen for

Tick & bolster, 1li. 9s. 6d.; a draft, 8 qrts., 14s. Valued as cost here in New England: 2 silke barateene under coates, 1li. 6s.; 1 large silk Rugg, 3li.; 1 calico India carpet, 4s.; 7 Bushell & 1-2 malt, 1li. 2s. 6d.; 3 B. & 1-2 of Indian, 7s.; 1 B. wheate, 3s. 6d.; a speckled pillow beere, 1s.; to sugar sold at 5s. 3d.; a gold ring, 7s. 6d.; an Iron Casement, 5s.; 460 foot of board, 3s. p, 13s. 8d.; 8 narrow brimed hats, 2s. p, 16s.; 3 old rusty curry combs, 1s.; 2 old sawes, 2s. 6d.; 4 pr. sissers, 1 twissers, 1 gimlet, punch, som ales & steeles, 4s. 6d.; 3 firkins of old butter, 3li.; decayed wine, 1li. 15s.; an old pr. of hand screwes, 1li. 10s.; debt of 12s.; suposed 3 acres of land at merimake, to a silver seale, 2s.; bookes, 12s.; mincing knife, 6d., 2 curry combs, 2s.; Glass redy made & som lead, 1li. 10s.; 2 chests & 1 trunke, 15s.; 8 & 2 yd. of narrow serge, at 2s. p, 17s.; Debts, 40li.; total, 69li. 6s. 11d.

Salem for the ensuing year: Mr. Nehemiah Willoughby,* Mr. John Hathorne,* John Roapes,* Corporall Jon. Putnam,† Job Swinerton,† jr., Bray Wilkins,† Samuella Cutler,† Joseph Phippen,‡ sr., Isaack Foot,‡ Hen. Skerry, jr.,‡ Elias Mason, Samuella Williams, Jonathan Eger, Mr. John Ruck,§ Jeremiah Meachum, sr.,§ Mr. Eleazer Gedney,§ John Reeves,§ Jacob Barney,|| Samll. Eborne, sr.,|| John Pease, sr.|| and Eleazer Giles.||

Court remitted 5s. of a fine of Joseph Miles at a former court.¶

There being no legal town clerk at Marblehead, court appointed Mr. Moses Maverick clerk, who was empowered to take the town books and give out copies. It was ordered that the selectmen do their duty in respect to trespassers on the commons in granting warrants to the men employed to look after the stent when it should be demanded, and in case

*Warrant, dated 19 : 5 : 1678, for appearance, signed by Jno. Hegginson, jr.,** for the selectmen, and returned by David Phippen,** constable of Salem.

†Warrant, dated July 19, 1678, for appearance, signed by Jno. Hegginson, jr.,** for the selectmen, and returned by Joshua Rea,** constable of Salem.

‡Warrant, dated July 19, 1678, for appearance, signed by Jno. Hegginson, jr.,** for the selectmen, and returned by Thomas Searle,** constable of Salem.

§Warrant, dated 19 : 5 : 1678, for appearance, signed by Jno. Hegginson, jr.,** for the selectmen, and returned by John Norman,** constable of Salem. Another warrant of the same date returned by William Curtis,** constable.

||Also Ant. Buxton. Warrant, dated 19 : 5 : 1678, signed by Jno. Hegginson, jr.,** for the selectmen, and returned by Joshua Rea,** constable of Salem.

¶Petition of Joseph Miles: that being presented last Michaelmas for excess in drinking, he confessed that he had sinned against God, wronged his own soul and broken the laws of this jurisdiction. He "hath beene in this Cunttrie aboutt twentie fve yeares, and neuer was before nor since that time ouer taken with Drink, neither hath he all that time spent a six pence in Idle expences, and was then ouer taken before he was aware, and hope y^t god hath soe assisted him with his grace as trulie to repent of y^e Same, and y^t god hath pardoned him." He asked that his fine be remitted, as it was his first offence and he was aged and not able to pay it.

they do not attend their duty they were to answer at the next court.*

The return of the highway laid out between Salem and Marblehead was allowed and confirmed, and whereas the highway through the south field was but one pole in breadth, now it shall be two poles. Hilliard Veren, sr., Left. Richard Leach and Israell Porter were appointed to award the land damage, to be paid by the town and the proprietors of the mill.†

*Petition of Richard Rowland, James Dennis and Robertt Bartlett, all of Marblehead: "Whereas the hono^rble Gen^l Courtt by y^r order were pleased to settle a difference among us for the settlement of priuilege of the inhabitants about stinting the Cow Common in persuance of which order the Selectmen and inhabitants did last year 1677 appoint and Impower us and some others to Inspect the regulation of it as by order may appear and againe the Selectmen and Inhabitants did renue yo^r former order to us for this year 1678, as by y^e Copy of yo^r order entered in the towne booke may appear. Butt wheras wee haue no towne clarke to signify ye said order impowring us and some of the selectmen Refusing to Joyne with others in sighning therof and giuing us warrant to Actt wee are at a loss to execute the same wherby the towne is greatly damnified by oppressing the Common, wee therfor humbly request the honoured Court to give us Relief in ye aboue premises.

†Copy made June 25, 1678, by Jno. Higginson, jr.,‡ of the return of the layout by William Hathorne, Henry Bartholmew, Richd. (his mark) Rouland and Samuell Ward, dated Apr. 24, 1666: "That the way shall lye out of the towne of marblehead as the Comon cartway now lyeth foure rods wide and so to Run four Rodds broad as we haue marked trees nere the way as it is commonly used only upon the midle of the playne we leaue the common way and goe somewhat on the left hand of the old way according as the trees are marked and so to run foure Rodd wide untill we come to the Bridge and then to goe foure Rodd wide untill we come to the litle gate that standeth in the South feild fence. and then we haue determined that the way shall run through at that gate upon a streight line unto an old tree that lieth neare that common high way in the South feild and so to goe alonge the way, as it is now used through the South feild unto the mill Dam and the Breadth of the whole way through the South feild to be one Rodd wide and that this is our Joynt agreement," etc.

At a meeting of the proprietors of the South field, 25 : 2 : 1678, Mr. Wm. Browne, jr., Capt. Jno. Price and Lieut. Pick-

‡ Autograph.

"To the constables & tithingmen of marblehead Salem & Linne

"This court being informed that diuers psons in yo^r townes doe contrary to law priuately keep tipling houses to the increase of disorders amongst us which wee ought to indeauour to p^rvent, you are hearby required in yo^r respective townes, diligently to inquire & search, that you may be inabled & accordingly doe from time to time certify to this court of any unlicensed pson that haue or shall p^rsume to sell drink in their houses contrary to law. And wheareas wee are alsoe informed that there are more publicke houses or ordinaries in each of yo^r Townes that haue beene formerly liscenced then are nessessary or usefull, you shall acquaint euery such pson that the court will not renew more liscences then are necessary for occasions of the respective places, & those to be comended to their consideration by the selectmen of the Towne, And therefore all such psons are to take notice that they ingage not themselues by making proviissions for entertainment in expectation of obtaining the renewing of theire liscences, wherein the court will haue respect only to the necessity of the place, the Ancientest most sutable & most orderly houses & ordinary keepers & all others are not to expect to obtaine what possibly they may desire, & alsoe you shall giue notice to the select men that they be carefull & prudent in giueing theire approbation to any or more then necessarye & what they shall certifie under their hands be after Joynt deliberation at some of there meetings."*

ring were appointed a committee to ask the Salem court for satisfaction for those persons through whose land the Country highway goes in the south field. Copy of the vote made by Samll. Gardner, jr.,† clerk.

*Petition, dated June 25, 1678, of the selectmen of Marvelhead, Christopher Lattimore,† Ambros Gale,† John Merrett† and Robart Bartlett,† and of other inhabitants, Richd. Norman, Richd. Reade, Will. Nicke, Sam. Morgan, James Dinnis, James Stilson, John Chin and Richd. Oliver: "wheare as Theare are much Disorders In the towne and the sin of of Drunkenness much Incresed By Reson of ye manifould ordinaries ore Rather priuate Litienced Houses that there are In The Towne and not only Dis Honouer god *god* But all soe Henders men of there Employ^mt and Beeing Intrusted by

† Autograph.

other men for the gaining of a Liuilhood what Theay should paye for To satisfie for there Clothing and prouitions It Is spent In Those priuate Houses whether nither Constable grandiurryman nor Tithingman can Com Nere Them to p^rvent them and Now our Humble Request Is to Yo^r Hono^s That yo^r worshipes will pleas to tak of those Litiences and that yo^r worshipes will Not grant any but such as are aLowed By the selecte men Becaues Litienceced Houses Haue keepte this disorder that was tithing man and this Is the Humble Request of yo^r Hono^s Humble Saruants Boath Selectemen and sume of ye Towne Eles."

Petition, dated Salem, June 25, 1678, and signed "Your humble & affectionate servant, John Higginson:"*

"Being credibly informed that there are at this time belonging to Salem about 14 Ordinaries & publick drinking Howses, some of them licensed others of them unlicensed, (viz 1. m^r Gidny, 2 m^r King: 3 Capt. More, 4 Ellin Hollinwood, 5 Jo: Proctor. 6 Nath Ingersoll, 7 Darling, 8 m^r Croad, 9 Will: Lake: 10 Edw: Bridges, 11: Gilbert Taply, 12 Fra. Collins, 13. Goodie Kippin, 14 Ruben Guppa. & that there are 4 more y^t now at this time desire & endeavour to get approbation or license, viz, 15 John King, 16 John Peas, 17 Sam: Eburn, 18. John Clifford And being set in this place by God & men as a Watchman by office, I dare not but discharge my duty in giving warning agst y^e sin of Drunkennes & ye excessive number of drinking howses in this place; & having libertie by law (as title Common Liberties) upon consideration of many things in y^e fear of God, I find it to be my duty at this juncture of time to present this information to y^e Honoured County Court: That though the continuance of these & y^e adding of more may be a gratifying of such as are too much given to drinking, & not so well affected to sobriety law & good order, yet I beleeeue it is a very great grievance to y^e generallitie of y^e church members freemen & sober people of Salem, as well as to my selfe, (& I doubt not if there be need upon enquiry your Worships would find it so,) not seeing how such a multitude of drinking houses can possibly stand with y^e law made in 75, for a Reformation of excessive drinking under y^e title of provoking evils, when it is well known y^t till within this few years 2 ordinaries were judged sufficient for Salem, & y^e divers of these haue set up since y^e making of y^e law in 75: & most of them are known to be frequented by town dwellers, to y^e great impoverishing of y^e town, y^e encreas of tipling drinking & company keeping, the dishonor of God, & further provoking of his wrath.

"Therefore it is humbly propounded to ye serious consideration of the Honoured County Court, whether by y^e Exercise

* Autograph.

COURT HELD AT SALEM, 24 : 5 : 1678.

Judges: The Worshipfull Samuells Symonds, Esq., Deputy Govr., Majr. Generall Daniell Denison and Maj. Wm. Hathorne.

Tho. Leighton was sworn constable of Linn.

Blaz Vinton was fined upon his presentment for breach of the peace.

of & emprowem^t of your wisdome Integrity Authority or zeal for God, against Sin (according to the forementioned law & as an act of reall reformation of such a provoking evill) whether there may not be a pulling down of all such publick howses as are found upon mature deliberation not to be absolutely necessary for ye entertainment of travellers & strangers, & a reducing them to some few w^{ch} may be sufficient for y^t end, as in former times.

"And in particular y^t you would pleas not to license Edw. Bridges, He being not approved by y^e most of y^e sober people of this place, either for his sobriety, or for his Fidelity to law & good order.

"The Lord giue you the spirit of wisdome & counsell & of y^e Fear of God, to make you of quick understanding in y^e fear of y^e Lord, y^t you may doe in this & all things els, as may be for y^e glory of God, y^e Reformation of growing Evils, y^e discountenancing y^e Prophanes & encouragem^t of Godlines in this place, y^t it may turne to your own comfortable account in y^e great day of y^e Lord."

William Smith and Richard Palmer testified that about two months ago, they came into Edmond Bridges house and called for some cider, having three quarts at 2d. per quart. Also about three weeks ago they were at Bridges and had about four quarts of cider. James Shaw testified that he paid 3d. per quart at that house. Sworn, 4 : 4 : 1678, before the commissioners of Salem.

John Bolorig and Thomas Coates testified that "the last Sabbath day at euening was seuen night," being thirsty, he called for a quart of cider at Bridges house, and his girl or the maid brought it. Sworn, 4 : 4 : 1678, before the commissioners of Salem.

William Smith, having been complained of for drunkenness and Henry West testifying as to his drunkenness and abusive language to the tythingman, and he himself confessing, was fined, May 15, 1678, by the commissioners of Salem. He confessed that he had his drink at Edmund Bridges and that they had about five quarts of cider at 3d. per quart, before Bartholmew Gedney,* commissioner of Salem.

* Autograph.

Whereas the court's advice was asked about a difference between Will. Curtice, master, and Jacob Preston, servant, about the fulfilling of the indenture of apprenticeship on either part, court advised and they agreed to refer it to the Worshipful Major William Hathorne.*

Whereas upon complaint made by several persons of Marblehead for want of a town clerk at Marblehead and not taking forfeits, court gave out an order the last session for the regulation of that grievance, and there being a return made to this session by the selectmen of Marblehead, court did not see cause to interfere but left it to the selectmen who are thought to be meet judges.†

Copy of the record of a commissioners' court, 4 : 4 : 1678, at Salem: Edmond Bridges, complained of for retailing cider within doors contrary to law, whereby one was found drunk, was bound over to the next Salem court, with Frances Nurss and Christopher Lattamore, as sureties.

*Copy of the record of a commissioner's court held, 4 : 4 : 1678, at Salem.

Petition of Jacob Preston: "yo^r poore petitioner haueing bin sometyme an Aprentice vnto Thomas Chandler of Andover," blacksmith, and by him assigned to fill out his service with William Cortis of Salem according to indenture and orders of the Salem court of July 18, 1676, and having fulfilled the indenture, said Cortis did not perform his part in providing double apparel at the expiration of his apprenticeship. Said Preston had "come out of his tyme very poore, & hath not wherewithall to goe to Law to recouer his right."

Indenture, dated May 20, 1671, between Thomas Chandler‡ of Merrimack, blacksmith, and Jacob (his mark) Presson of Andover, whereby said Jacob, with the consent of Nicolas Holt of Andover, his father-in-law, by the marriage of his mother, and by her consent also, bound himself to said Chandler for seven years, from Mar. 26, 1671. Wit: George Abbott, sr.§ and Alexander Sessions.§

†Petition, dated July 24, 1678, of Christopher Lattamore, Ambras Galle, Rabord Bartlet and John Merrett, selectmen of Marblehead: "Whereas you were pleased to order us to do our duty with Respect to the trespassers upon the Common or giue our reasons for not so doing in answer there to we humbly apprehend our selues not obliged to grant any Warrants for distraining on the estates of such whome thay Call delinquents in that we had no such instruction from the Town when we ware chosen to grant or signe any such warrants and att

‡ Autograph and seal.

§ Autograph.

William Ferryman, complained of by his master Nathll. Wallis, for disorderly carriage in his service and running away, was sentenced to serve his master Wallis half a year longer than he was first bound for.*

In answer to a petition presented by several persons subscribed as proprietors or commoners in Salem complaining that some of their common land had been alienated by the selectmen, the court advised that there was no other way to right their wrongs but by civil action.†

this time are but four, one of whome is really a freeman and one other only allowed by the County Court to act as a freeman, and the out side Fence also lying downe: we are Exceedingly oppressed by other towne Cattell Coming in upon us and do therefore Judge it unreasonabell to punish our owne poor neighbours when Strangers go scot-free; the penaltys Raised being att all times such as we neuer found aduantageous to the town in generall we Request therefore your direction in the afore said Case," etc.

*John Basse, aged about thirty-one years, deposed that he had been on a fishing voyage with Mr. Nathaniell Wallis from the last of January, in a boat with said Wallis and his man, William Ferryman, until the latter ran away from his master. During all that time they had sufficient provisions and unless business prevented, they always had three meals a day when every man might have eaten to his full satisfaction. Deponent had seen his master strike Ferryman, but the first time was because his master commanded him to boil the pot and he refused, and afterward it was because of abusive words to his master. Furthermore, Wallis had told him that if he would but be a good servant and do his duty, he would give him a year of his time. Deponent had been in voyages with said Wallis and never heard anyone complain of lack of food. Sworn in court.

Nathaniell Wallis' bill of cost.

John Wallis, aged about twenty-two years, deposed that he had been two fares fishing this summer with his father Nathaniell Wallis, John Basse and William Ferrie Man, etc. Sworn in court.

†Petition, dated Salem, 26: 4 : 1678, of Nathaniel Puttman, John Puttman, Thomas Rootes, John Dodge, Henry Kenny, John Foster, sr., James Symons, Abraham Warren, Nicholas Hayward, Joshua Ray, George Harvey, John Hill, Henry Traske, William Traske, Joseph Boys, sr., Samuel Verry, Robert Pease, sr., Samuel Ebborn, sr., Nathaniel Felton, sr., John Rowden, John Pease, sr., John Tomkins, sr., Edw. Beecham, John Reeves, Tho. Flint, in town, Richard

Adams, Tho. Cole, Richard Croade, John Williams, Jno. Burton, sr., Nath. Sharpe, Tho. Cooper, Daniel Southericke, Tho. Maule, John Traske, Anthony Buxton, Thomas Brackett, Samuel Gaskin, Jno. Smith, Jno. Small, Jeremiah Meecham, Allexander Orsburne, Isack Meecham, Joshua Buffum, Henry Skerry, sr., Francis Skerry, Henry Skerry, jr., Robert Stone, Edward Bush, Mathew Dove, Andrew Woodbery, Joseph Phippeny, sr., William Lord, Jacob Barney, Thomas Crumwell, Thomas Robbins, Mathew Price, John Clefford, Isack Williams, Daniel Rumball, Jacob Puddeater, Steephen Haskett, Reuben Guppy, Frances Collens, John Ingerson, sr., Richard Hide, Joseph Williams, Edward Woollan, John Massey, Thomas Oliver, Richard Hutchison, James Hadlocke, Joseph Pope, Ezekiel Cheever, Richard More* and Thomas Jeggells.* "Being proprieto's of y^e Commons of Salem according to a Law Intitaled Towneship priviledges made in y^e yeare 1660 wherein was Impropriated all commons in particular Townes to the then erected howses; wee haueing suffred o^r neighbors to make use of y^e Common as o^rselues & that hath not satisfied them but much of o^r Commons hath bin some sold out right & others Leased out for a Thousand yeares to o^r greate grieve and damage, Therefore o^r humble petition to this hono^d Court is that they would be pleased to sett us in some orderly way whereby wee may preserve what we yett enjoy & help if it may be to recover what is gon. We Intend that in speciall wch hath bin disposed of within these Two last yeares past by the then Selectmen, Some of whom had noe propriety with us & noe humble desire thus to be understood that we aime not nor sue for particular Impropriation of ye commons to o^rselues but that they may remayne & stand in ye same station originally Intended for."

"Wheras Thomas Olliuer on the 20th day of this Instant month of June proclamed through the Streets of Salem towne as followeth: viz we whose names are under written desire you to publish in euery Street of the towne that the Maj^r part of such as are propriators in the Comage of the towne of Salem According to A law made 1660 Intitled Township prueledges, haue Appointed to meet the last day of this weeke in the meeting house about 10 of y^e Clock in the morning to order their preueledg as they shall See Cause which was Signed with y^e names of nath Putnam Jn^o Putnam, Jn^o Dodge, W^m Curtice, Nath. Sharp, Jn^o Waters James Simonds Jn^o Ingersoll, Nick^s Haward & Jno. Forster Dated June y^e 16, 1678. The Select men of Salem meeting together to Consider of the aboues^d premises: doe declare that they Judge that their proceedings of this nature is verey Eregular, Ellegall & tends much to the disturbance of y^e peace & quiet of this

* Autograph.

Upon complaint of the Worshipful Maj. Hathorne and the selectmen of Salem concerning the public warning of a meeting of the commoners of the town by Tho. Oliver by order of several persons undersubscribed to the paper given him to publish in the streets of Salem, most of the persons appearing and not disowning it, court ordered that the publishing of the writing was altogether irregular and tending to much disorder and confusion, also highly offensive, yet it being the first offence, they were admonished.

John Putnam, Nathanll. Putnam, James Symonds, John Dodg, jr., and Nath. Howard appealed and were bound to the next Court of Assistants.

John Ballard, late constable of Linn, for letting one committed to him by Major Hathorne escape, was fined.

Martin Hall's wife was fined for fornication.

Upon approbation of the selectmen of Salem, court allowed Mr. [John. — *Waste Book.*] Gedney, Mr. [Daniel. — *Waste Book.*] King and Capt. [Richard. — *Waste Book.*] More to

towne, & therefore doe desire & Require all those that are Concerned in this present Intended meeting to forbare Coming together In Such an Eregular & disorderly way. Salem 21 : June 1678 p^r John Higginson,* p^r the order and in the name of the Select men.

"I doe fully aproue of this of y^e Selectmen & doe require all to for beare this unlawfull meeting as they will answer it at their outmost perrill p me Wm. Hathorne,* Assist. Dated 21 : 4 mo. 1678."

John Nicols testified that there being arbitrators chosen to end a difference between Richard Adams and Bray Wilkins and John Nicols and Hennary Wilkins, the arbitrators chose a fifth man to whom deponent objected and he asked Edmond Bridges to speak to the arbitrators to have a more indifferent man appointed. Deponent said he was as much concerned in the case as his father Wilkins or father Nicols, for he was bound with his fathers to old Goodman Adams.

The selectmen's bill of cost, 2li. 4s.

Bill of cost of Nathanell Putnam.

Summons, dated 28 : 4 : 1678, to Corporall John Putnam, Nathaniell Putnam, John Ingerson, James Symonds, John Waters, Nathanill Sharp and William Curtice, to appear for having a hand in the publication of a paper in Salem streets irregularly, signed by Hilliard Veren,* cleric, and served by

* Autograph.

keep ordinary and draw wine as formerly, and no others, only Gilbert Tapley was allowed to sell one-penny beer.*

Upon approbation of the selectmen of Marblehead, court allowed Mr. Ridan, Richard Norman and Mr. Lattamore to keep ordinary and draw wine as formerly.†

Daniell Cleark of Topsfeild, Nathaniell Ingerson and Georg Darling had their licenses renewed.

The return of the men appointed to lay out the highway between Salem and Reding was allowed.‡

Giles Coree, for suspicion of firing John Proctor's house, was dismissed, on condition that he produce evidence, which

William Curtis,§ constable of Salem, who summoned all except John Waters.

*Jno. Curwin,§ Phillip Cromwell,§ Richd. (his mark) Leach and Edward Flint,§ selectmen, on July 19, 1678, returned to the court the following names as suitable persons for the keeping of public houses of entertainment, Mr. Gidny, Mr. King, Capt. More, Sergt. Lake, Mrs. Hollingworth and Mr. Croade.

†Ambros (his mark) Galle, Crestafor Latamor,§ Robart Bartlett§ and John Merrett,§ selectmen of Marblehead, on June 28, 1678, petitioned the court "that Insint norman may Contenu for to kepe a hous of entartainment . . . for wee doth not know of any disorder that hee doth alow of in his hous."

‡Return of the lay out, dated July 23, 1678, signed by John Hathorne,§ Eleazer Giles,§ John (his mark) Peirson, sr., William Bassett,§ John Weston§ and [Mathew] Edwards:§ "Begining at Brooksbey or the Butts brooke haue layde out foure pole Broad through Salem Bounds itt being the Same waye formerlye layd out & now made use of Betweene Salem & Redding; And through lyn bounds wee pass Alonge throught part of m^r Nedams Farme & soe through part of Maj^r Raynsborough playne leaueing the High wayes to the Meddowes (Called by him y^e Countrie meddows) on the Right hand soe paseing Right on to Welmans; leaueing Welmans house & feild on ye Right hand soe Right to the Riuer or brooke; Caled formerlye Saugust River w^{ch} is the Riuer or brooke that is the Bounds betweene linn & Redding Towne: this Roade Also through linn Bounds wee layd out foure pole Wide And from the Aboues^d Riuer or brooke wee layd out the waye into Redding Towne Untill wee Come to Andiver Country Roade which Runns by Hannanya Parkers wee Aproueing of & laying out the Same Roade into Redding

§ Autograph.

he claimed he had, that he was at home all night that night.*

Mary, wife of John Heard, was granted a divorce on the grounds of insufficiency, he having left her contrary to court's order, unless he return within a month.

William Lake, having laid in provisions whereby he was much indebted and not having his license renewed, court granted liberty to him to continue his former license until Mar. 2 next, but he might not expect to have it afterwards.

The servants of Mr. Gidney's house were allowed 6s.

Ambross Gale of Marblehead was appointed administrator of the estates of three men, who were drowned in the winter of 1677, William Pearce, Denis Bartlett and Robert Pike, and he brought in an inventory† of their estates, which were to be settled at the next court.

Towne that formerlye was & now is made use of; layeing out this Roade Alsoe into Redding Towne foure pole broad."

*Warrant, dated July 24, 1678, for appearance of Gilles Corre, signed by Daniel Denison.†

†Inventory of the estate of William Pears, deceased, taken Apr. 29, 1678, and allowed, 25 : 5 : 1678, in Salem court: 105 lb. of pork at 3d. p l., 1li. 6s. 3d.; 1 gun, 1li.; 1 felt hatt, 4s.; 2 paier of shoos, 7s.; 1 Corsie Coat, 1li.; 1 Jackett and Briches, 1li. 3s.; 1 Coat, 12s.; 1 paier wosted stokins, 5s.; 1 paier striped briches and a paier of old drawers, 5s.; 1 whiet shirt, 1 blew ditto, 1 paier drawers and on neckloth, 12s.; 1 lien and half, 4s.; 1 bedsak, 6s.; 3 l. of shott, 14 hooks, a ball of twien, 2s. 6d.; 1 Chest, 8s.; 1-8 of hundred bred, 2s.; 7 bbs. of mackrell sent to barbados by Robert Coks, 5li. 5s.; total, 13li. 1s. 9d. Debts: to Ambrose gall, 2li. 9s. 7d.; James Stilson, 1li. 4s.; John Chine, 14s. 8d.; John Furbush, 1s. 4d.; 3 cord of wood and 100 C bread to Sam Morgan, 1li. 17s. 6d.; Robert Cox, 3li.; Christopher Lattamore, 16s. 6d.; Robt. Cox, 1li. 10s.; more, about 15s.; total, 12li. 3s. 11d.

Inventory of the estate of Denis Bartlott, deceased, taken Apr. 29, 1678, and allowed 25 : 5 : 1678, in Salem court: 1 suett of Cloth Cloas, 1li. 2s.; 2 paier of striped briches, 1li. 2s.; 1 Cloth Coat, 15s.; 1 Red wastkott with silver lases, 15s.; 1 Red wastkot, 7s.; 1 shirt and a paier of old drawers, 8s.; 2 long neckloth and hankercher, 8s.; 2 French liens, 7s.; 5 dozen 1-2 of Codhooks, 13s. 9d.; 2 paier french fall shoes, 11s.; parsill of wostid and a paier of wosted stokins, 8s.; 1 Cabin Rug and old bedsack, 9s.; 1 old Coat and Briches,

† Autograph.

Theophilus Baily, Richard Norman, Hugh Lattamore and Capt. Richard More had their licenses renewed to keep ordinary for the year ensuing.

Steephen Haskett, Mr. John Higgenson, Mr. Moses Maverick, Mr. Wm. Browne, jr., Capt. John Corwin, Mr. John Gedney, Mr. Timothy Lindall and Mr. Bowditch had their licenses renewed for selling strong water.

Samll. Shattock and Richd. Rease had licenses granted for selling strong water for the ensuing year.

John Nurss and his wife, presented for committing fornication before marriage, were fined 6li.*

Phillip Cromwell, presented for swearing by the name of God, was dismissed.†

5s.; 1-8 of a hundred of bred, 2s.; total, 7li. 12s. 9d. Debts: to Ambros Gall, 5li.; John Furbush, 3li. 4s. 6d.; Richd. Read, 15s.; John Chinne, 8s. 6d.; Grigory Codner, 2li. 15s. 9d.; Robert Cox, 1li. 10s.; Samuell Morgan, 5s.; Christopher Lattamore, 1li. 7s. 7d.; total, 15li. 15s. 4d.

Inventory of the estate of Robert Pek, deceased, taken Apr. 29, 1678, and allowed 25: 5: 1678, in Salem court: hooks, Leins and leads, 10s.; 1 old Cloth Coat and stuff briches, 12s.; Cloth Coat, 1li.; 1 hatt, 2s. 6d.; parsell of old hooks and 1 led, 5s.; 1 old shirt, 1 paier drawers, 2 old neck-loths, 4s.; 1 old pillow and bed sak, 5s.; 1 old Chest, 4s.; one gun, 10s.; total, 3li. 2s. 6d. Debts: to Ambrose Gall, 4li. 10s. 11d.

William Peerse, debtor to Cr. Lattamor, 16s. 6d.

Denes Bartlot, debtor to Cr. Lattamor, 1li. 7s. 7d.

*Summons, dated 10: 5: 1678, signed by Hilliard Veren,† cleric, and served by Joshua Rea,‡ constable of Salem Farms. Wit: Eliza. Buxton, Mary Joanes and Eliza. Cook.

†Wit: Richard Bryars and Nathanll. Pickman, jr.

John Massey, aged about forty-seven years, deposed that Richard Bryar came to his house the first day of Ipswich court, 1678, and said that, although Crumwell would not buy his bullock, he had sworn before Mr. Batter that Cromwell swore an oath.

Sarah Massey, aged about thirty-eight years, deposed that Bryar was much in drink, etc.

Hanna Wels, aged about twenty-five years, testified that Bryar came to her brother Massey's house, etc.

Richard Briers, aged about thirty years, testified that as he passed along the street Mr. Philip Cromwell asked him where

† Autograph.

Edmond Bridges, presented for affirming an untruth or lie several times, was dismissed, it not being legally proved.*

Richard Croad, presented for selling wine and rum, was fined.†

Frances Collens, presented for selling two-penny beer without license, was fined.‡

his oxen were. He answered, at Brown, the glazier's. Then said Cromwell, being angry, "by God will you not shew mee ym & y^e said Briars answered him do not sware." Sworn, 26 : 1 : 1678, before Edmund Batter, § commissioner.

Nathaniel Pickman, jr., aged thirty years, deposed that he heard Cromwell swear that he would not take old Brinne's pay, etc. Sworn, 8 : 2 : 1678, before Edmund Batter, § commissioner.

William Reeves, aged about thirty-three years, testified that the day before the last Ipswich court, being at Isack Williams' door, his master, Mr. Phillip Cromwell, desired him to go along with him to look at an ox at Sall. Browne's house. One Briars went with them, who was going through the land which led to Browne's house toward Mr. King's house, etc.

*Wit: John Putnam, John Pickerin, sr. and Manases Mastone.

†Wit: Edward Bridges and Sarah Bridges.

Thomas Coupar testified that several times the past winter he had seen Indians go sober from him into Mr. Crod's house and as he came out of town he had seen the same Indians drunk at Mr. Crod's house. The very same Indians came up to their house and made a great disturbance, so that they were obliged to lock themselves in.

Josiah Bridges testified that last frostfish time, he was invited into Mr. Crod's house and saw an Indian drink rum or brandy and cider, the Indian paying Crod for it. Also in September last he drank sack and rum there, paying for the wine by the pint and the rum by the gill. One night while he was there, there was music and dancing when it was pretty late, etc. Sworn in court.

‡Wit: Mr. Edmund Batter and Charles Gott.

Petition of Francis Collins: that in all the years he had been an inhabitant of Salem, he had tried to serve both country and town, but lately being aged and having a charge of children to maintain, he and his wife brewed some beer for vessels, also penny beer. Mr. Bartholomew, the customs master, demanded customs of him, which he paid, and thinking it no wrong sold also strongwater. He petitioned that his fine might be remitted.

Henry West and John Norton, presented for swearing to what was fallacious, were admonished.*

Edmond Bridges, presented for unfaithfulness in receiving ten shillings of Ben. Mazure to plead his case and then did not, was admonished.†

William Hoare, presented for himself and son Samuell neglecting the public ordinances, was admonished.‡

Benjamin Ireson, presented for pound breach, was fined, and a part of the fine respitted.

Order to the selectmen, constables and tithingmen of Salem, Lin and Marblehead: that court had allowed to keep ordinary for Salem, Mr. John Gedney, Capt. Richd. More and Mr. Daniell King; for Marblehead, Mr. Riddan, Richard Norman, and Mr. Lattamore, and for Linn, Theo. Bayly and Capt. Tho. Marshall; they were to report to court all others who should presume to sell wine, beer or cider without license.

*Wit: Edm. Bridges, Sarah Bridges and Mathew Price.

†Edmond Bridges accepted a fee of 10s. as attorney in an action against Ben. Mazure who was absent at sea, but at the trial did not speak a word for him. Upon an appeal from the judgment of the court in the same case, he became attorney for the opposing party, Phillip English, and proceeded against said Mazure. Wit: Hen. Skerry, jr., James Browne, Walter Fairefeild and Laurance Mazure.

Summons, dated 3 : 5 : 1678, signed by Hilliard Veren, § cleric, and served by David Phippen, § constable of Salem.

Benjamin (his mark) Masere, of Salem, on July 10, 1678, having formerly made James Browne of Salem his attorney to prosecute against Edward Bridges of Salem, before the last commissioners' court, said Bridges appealing, acquitted said Bridges, etc. Wit: John Cromwell § and David Phippen. §

‡Wit: Joseph Rootes and John Lovet, jr.

John Lovet, jr., deposed that they did not go to meeting when at home and in health, and also went walking abroad when meeting was over.

Venire, dated 15 : 3 : 1678, for Marblehead grandjuryman and trial jury men, signed by Hilliard Veren, § cleric, and served by Wm. Wood, § constable of Marblehead, who returned the name of John Peach, jr., for the jury of trials and James Dennis for the grand jury.

Summons, dated July 3, 1678, to Thomas Chick, for upbraiding John Grover for praying in his family and for taking said Grover by the neckcloth and threatening him, and as

§ Autograph.

COURT HELD AT IPSWICH, SEPT. 24, 1678.

Judges: Sam. Symonds, Esq., Dep. Govr., Major Genrll. Daniell Denison, Esq., Major Wm. Hathorne, Esq.

Grand jury: Mr. Wm. Cogswell, Thomas Clarke, Sam. Ayres, Antho. Potter, Wm. Story, James Jackman, Rich. Bartlett, Ben. Rolfe, Abr. Reddington, John Tod, Richard Holmes, Jo. Redington, John Marston and John Simmons.

Jury of trials: Tristram Coffin, John Burnam, Jo. Newmarsh, Joseph Safford, Tho. French, Nicho. Wallis, John

some spectators judged, might have strangled him if he had not been rescued, also for calling him rogue, signed by Hilliard Veren,* cleric, and no return made. Wit: John Grover, John Trask, jr., and Tho. Partor.

Summons, dated July 3, 1678, to the wife of Mathew Taylor, for her lying about a petticoat, which upon suspicion was stolen from Peeter Woodbeyre by her husband, and when she was asked where she got it, she said of John Raiment, sr., and he denying it, she was asked again by the wife of John Dodg, sr., and she said she had it of Ephraim Herrick's wife and gave three bushels of corn for it, which she told to John Sampson, constable, but Herrick's wife denied it; signed by Hilliard Veren,* cleric, and no return made. Wit: Mary, wife of Ephraim Herrick, Mary, wife of John Herrick, Sara, wife of John Dodge, sr., John Sampson and Peeter Woodbery.

Venire, dated May 21, 1678, for seven Salem trial jurymen, signed by Hilliard Veren,* cleric, and served by David Phipen,* constable of Salem, who returned the names of Mr. Timothy Lindall, Mr. John Ruck, Mr. Tho. Gardner, Corporall Jon. Putnam, Ed. Grover, Manasses Maston and Eleazer Giles.

Venire, dated 15 : 3 : 1678, for Wenham, one grand jurymen and one trial jurymen, signed by Hilliard Veren,* for the court, and served by Samuell Kembball,* constable of Wenham, who returned the name of Richard Hutten for the jury of trials.

The clerk's trial list, with the jury's verdicts.

Writ: Phillip Welch v. Robert Bartholet; for abusing and dragging him out of his own house about a fortnight since; dated May 15, 1678; signed by Daniel Denison;* no return made.

Executions against John Codner and Peter Harlin.

Thomas Laughton, for the selectmen of Lyn, on 20 : 4 : 1678, petitioned the court that Clement Coldum be allowed 40s. for work done on the county bridge in that town, his bill having been lost.

* Autograph.

Emry, Tho. Hale, Thomas Tenny, Joseph Boynton, John Comings and Henry Ingalls.

Mr. Phillip Nellson v. Thomas Leaver. Defamation. Verdict for plaintiff. The defendant was to pay a fine or make acknowledgment in court and at the next lecture day at Rowley immediately after the exercise, according to the nature of the offence. Appealed to the next Court of Assistants. Defendant bound, with Thomas Leaver, jr., and John Pearson, jr., as sureties.*

*Writ, dated Sept. 17, 1678, signed by Robert Lord,† for the court, and served by Jeremiah Elsworth,† constable of Rowley.

Bond, dated Sept. 17, 1678, for appearance of Thomas Leaver, sr.,† with Thomas Tenny, sr.,† as surety.

Thomas Leaver's bill of cost.

Phillip Nellson's bill of cost, 1li. 12s. 4d.

Tho. Leaver's† acknowledgment, dated Aug. 18, 1678, to Mr. Philip Nelson: "thes is to mind you that ther haueing falne out speach between you and I not longe since not comfortabl this I say conserneing the substance theroff: that your last speeches at our gate was troublsome to me: & to my understanding dishonourabl to god & tended to some degree of blasphemie: now if I did then or any time sence express my troble in too harsh or high words as is very posible I might I disaproue & desalow of them and all of them & condemne myself for them as euil words and not meet to be spoken on that ocaion: specially to you & am sorry for them as far as I can remember any of them & intreat you to pardon the same for I am really greved that I could manage that mater no more purely seeing it was in gods behalf not my owne."

Thomas Leaver's† additional acknowledgment, dated Aug. 30, 1678, to Mr. Philip Nelson, the previous one having been made in the presence of Ezekiel Northend and Thomas Woodi: "I say that I doe repent that I used y^e word blaspheme in my speach to you: without that explication and indignation mentioned about the begineing of the writeing afforesaid. 2ly: I acknowledge my erour in telling the speeches to any before I had according to rule debated the mater with you alone. and both have don and will vndoe the same as farr as acknowldgment of my falt will reach to those to whom I spoke them & if yet you be not satisfied tell me by word or writting wherin I fall short of the rule & I will endeuer to aplie myself therunto according to my best light."

John Acye, aged about forty years, and Andrew Hiddin,

† Autograph.

Samuell Ayres v. John Pengilla and Joseph Jacob. Appeal from a judgment of the Worshipful Deputy Governor. Verdict for plaintiff, reversing the former judgment.*

aged about fifty-five years, deposed that being in the country road in Rowley they heard Leaver acknowledge that he had charged Nelson with blasphemy. Sworn in court.

Thomas Leaver, jr., aged about thirty years, deposed that near their door, he heard his father say to said Nelson, "Sir may not you be deceiued, to which the said m^r Nelson returned this awfull answer god is not in heaven if I be deceiued & soe he departed away." Sworn in court.

John Tod, aged about fifty-seven years, deposed that after the discourse between Leaver and Nelson in the street about Thomas Burkbée's barn not far from the town end, said Leaver told him that he heard that Andrew Hiden would witness against said Leaver, etc.

Thomas Leaver, sr., said that Nelson talked with him near his house about 15li. that was, as he said, unjustly detained from Mistress Rogers about seventeen years ago which said Nelson supposed was paid by the town and kept in some men's hands. He especially hinted at Deacon Jewit and the Rev. Mr. Samuel Philips, etc. Mary, wife of Thomas Leaver, sr., affirmed the same.

* Copy of this action tried, July 20, 1678, before Samuel Symonds,† Dep. Governor:

Writ: Samuel Evers, jr. v. Joseph Jacob and John Pengilly; trespass, for filling up his ditch which was made to secure his corn against hogs, whereby the corn field was open to the common for hogs and other creatures; dated July 15, 1678; signed by Robert Lord, for the court; and served by Robert Lord, marshal of Ipswich. Bond of John Pengilly and Joseph Jacob.

Nathaniel Hely testified that he saw Joseph Jacob fill the ditch.

Ephraim Fellowes and Samuel Fellows testified.

Isack Fellows testified that he let to Samuel Ayers his part of the farm for four pounds per year.

Ephraim Fellows, Joseph Fellows, and Nathaniel Sampson testified.

John Chott and Jonas Gregory testified that the ditch in controversy was within the bounds of the farm which John Andrews sold to William Fellows, and that they fenced in the outside of the ditch about twenty-seven years ago for said Andrews.

Thomas Jacob and Samuel Ordaway deposed that the land where the ditch was dug was Nathaniel Jacob's.

† Autograph.

Mr. Timothy Lindall v. Thomas Blashfield. Debt. Verdict for plaintiff. To be paid in dry fish.*

Benjamin Marshall v. Mr. Jonathan Wade, Capt. John Whipple, Ens. Thomas Burnam, Deacon Moses Pengry and Mr. Tho. Wade. Withdrawn.

Thomas Borman v. Samuell Hunt. For mowing his land. Verdict for defendant.†

Samuel Symonds'† judgment for defendant.

Samuel Eaireses bill of costs, 1li. 6s. 6d.

Sammuell Ayers, jr.'s,† reasons of appeal, dated Sept. 18, 1678. Ardway is mentioned as a stranger. Appeal received, Sept. 19, 1678, by Samuel Symonds,† Dep. Governor.

Answer of Joseph Jacob† and John Pengilly† to Samuell Ayeres' reasons of appeal.

*Writ, dated July 8, 1678, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem, by attachment of a table, chair, land and house of defendant, summons being left with his wife.

Letter of attorney, dated 23 : 7 : 1678, given by Timo. Lindall† to Philip Fowler, jr. Wit: Robert Lord,† marshal, and John Barry.†

Mister Lindale's bill of cost, 1li. 9s. 4d.

Tho. (his mark) Blashfield acknowledged, March 29, 1678, that he owed Timo. Lindall 1li. 17s. 11d. in dry fish at Winter Island. Wit: Sarah Burell.† Sworn, 23 : 7 : 1678, before Wm. Browne,† commissioner.

† Writ. Thomas Boarman v. Samuell Hunt, sr.; for mowing his land, and making void the title of part of his land by the town river near Labor-in-vain creek; dated Sept. 19, 1678; signed by Robert Lord,† for the court; and served by Nath-anill Rust,† constable.

There were granted to John Perkins, jr., six acres of planting ground beyond John Maning's house lying between Francis Jordan on one side and Thomas Hardy on the other side. Also six acres of marsh on Labor-in-vain creek, having Mr. Bartholmew on one side and the great river on the other. Copy from the town book of Ipswich, Sept. 19, 1678, by Robert Lord,† cler.

Samuel Hunt's bill of cost, 1li. 1s. 6d.

Agreement, dated June 30, 1676, by Margett (her mark) Bourman,§ wife of Thomas Bourman, deceased, who was left half the farm by her husband's will, that her son Thomas Bourman should use and improve the farm, he paying to her 8li. per annum and agreeing to provide diet for her during her life. Wit: Jacob Bennett† and Mary Kinsman.†

† Autograph.

§ Seal.

Deed, dated Mar. 22, 1650, given by Mathias (his mark) Button* of Ipswich, fisherman, who in exchange for eleven acres of land, sold to Thomas Borman of Ipswich, cooper, 9 3-4 acres on the south side of the river near Labor-in-vain creek, bounded by William Goodhue on the west, the river on the north, and the marsh of Thomas Perkins on the east and south. Wit: Robert Lord† and Mary Lord.†

Benodict Pulsepher deposed that he had been in the town nineteen years and had gone up and down the river more than most men and Goodman Riding and his son Hunt always mowed the marsh yearly. Sworn in court.

John Perkins, sr., deposed that the marsh that was granted to him, he sold to his brother Tho. Perkins, etc. Sworn in court.

Elizabeth Hunt, aged upward of forty years, deposed that her father Joseph Riddings, in his lifetime, and her mother, since his death, had mowed it without legal opposition for about twenty-six years. Sworn in court.

Samuel Hunt, sr., aged about forty-six years, deposed that about seven or eight years ago Thomas Borman cut some grass there and cocked it up ready to carry away, and deponent's father-in-law desire him to take his canoe and take it away, which they did. Sworn in court.

Daniell Boarman deposed that he saw Matthyus Button deliver a parcel of land to his father Thomas Boarman about 1650, adjoining the land that is now Goodman Daines on the west and land that is now Goodman Newmarches, formerly Tho. Perkins' on the south and east, to a place that deponent's father made to go over labor-in-vain creek to his Island, and so along by the town river to Doctor Daine's land. Sworn, Sept. 20, 1678, before Daniel Denison.†

Quartermaster Perkins deposed that all the marsh from above the islands in the marsh along the creek to Ipswich river, was granted to him above forty years ago when Mr. Winthrop was an inhabitant in that town, which was the first grant in that field. Sworn in court.

Richard Car deposed concerning mowing the marsh for his master Perkins. Sworn in court.

William Hogskins deposed that he lived with Quartermaster Perkins above thirty years ago, etc. Sworn in court.

John Newmarsh, sr., testified that he had worked at the creek ever since he bought his marsh of his brother Tho. Perkins which is about twenty years, etc. Sworn in court.

Annis (her mark) Readding certified, Sept. 23, 1678, that the land in controversy was her husband's and hers for thirty years, etc. Owned before Daniel Denison.†

* Autograph and seal.

† Autograph.

Ephraim Fellows, Joseph Fellows and Samuëll Fellows, administrators of the estate of Wm. Fellows, and Isaack Fellows, for himself v. Nathaniell Jacob. Verdict for defendant.*

Jonathan Wade, aged about sixty-four years, testified. Sworn in court.

John Newmarsh, jr. and Zackeas Newmarsh deposed. The land in controversy lay in their way as they went to their work, etc. Sworn in court.

Margaret Boarman and Mary Kinsman, both of Ipswich, deposed. Sworn, Sept. 23, 1678, before Daniel Denison.†

Johanah Fellowes deposed that her father, Thomas Boarman, etc. Sworn, Sept. 23, 1678, before Daniel Denison.†

Daniel Boarman and Lewis Zackaria deposed that Hunt said to Borman, "Get you off of my land you Rogue," and ran at Boarman with a fork several times. Said Boarman, "You had better try the title to the Land another way," etc. Sworn, Sept. 20, 1678, before Daniel Denison.†

Daniel Hovey, aged sixty years, deposed that living in the house of Goodman Buton at the time of the earthquake in June forty years since and being at that time at work with him in his planting lot at the place called Button's point, etc. He paid Tho. Perkins two sheep or lambs for the land when they were at a high price. Sworn in court.

*Writ: Ephraim Fellows, Joseph Fellows and Samuëll Fellows, administrators of the estate of Wm. Fellows, and Isaack Fellows, for himself v. Nathaniell Jacob, executor of the estate of Richard Jacob; for driving cattle over and putting them upon their land, which is part of the farm that Corpl. John Andrews sold to their father, Wm. Fellows; dated Sept. 17, 1678; signed by Robert Lord,† for the court; and served by Robert Lord,† marshal of Ipswich, by attachment of a house of defendant.

Nathaniel Jacob's bill of cost.

Copy of deed, dated Feb. 16, 1659, given by John Andrews of Ipswich, yeoman, and wife Sarah, for 300li., to Wm. Fellows, husbandman, his farm on the south side of the Ipswich river, bounded by Mile brook on the west, Mr. Saltonstall's forty acres on the northwest, the common on the northeast and southeast, land of John Fuller and Walker's swamp on the south, with houses, barns, stables, orchards, etc.; also 20 acres of meadow in Chebacco, bounded by land of widow Haffield on the southwest, John Andrews, sr., on the southeast and east, a great creek on the north and northwest; also 6 or 8 acres in Hog Island Marsh, bounded by marsh of Edward Bragg on the northwest, a creek on the southwest which separates Mr.

† Autograph.

John Appleton's marsh from this marsh, land of Thomas Lee on the southeast, the southeast end butting toward Chebacco river. Wit: James Chute and William Wild. Acknowledged, Feb. 17, 1659, before Daniell Denison. Copy made by Robert Lord,† recorder.

John Low, aged about forty-three years, testified that when Corporal Andrews lived upon the farm which the Fellowes now live upon, he told deponent that Sergeant Jacob had improved a parcel of land of his which he had given him liberty to do, etc. Sworn in court.

Samuell Gidings and Samuell Ayers deposed that they saw some cattle which Joseph and John Pengillie were driving over the land in controversy and they said Nathaniel Jacobs gave them leave to do it. Sworn in court.

Deed, dated July 14, 1659, given by Robert Lord,¶ attorney to James Brading, $4\frac{1}{4}$ acres, 13 rods of land which had been taken by execution from John Andrews, to Richard Jacob of Ipswich, which was a part of said Andrews' farm, bounded and delivered by the marshal Edward Browne, "from a stump of an old post w^h was somtymes deviding betweene Land belonging to Richard Saltingstall essquire and the sayd John Andrews downe to the River by Richard Jacobs Bridge haueing other land of the sayd John Andrews being swamp toward the west the Land of M^r Saltingstall comonly knowne by the name of forty acres towards the North & soe from a stake sett by a burnt tree downe to the fence haueing other Land of the sayd John Andrews toward the East and the sayd fence toward the south Haueing alsoe a highway of a rode and halfe broad lyeing through it." Wit: Richard Kenet and John Aires.† Acknowledged, July 14, 1659, before Daniel Denison.†

Jonas Grigery deposed that he had been in the country about twenty-six or seven years and made hay on the land in controversy before he ever heard of Sergeant Jacob's desire to buy the land for a drift way. Afterward, when deponent's master Andrews refused to sell it, he allowed him to cart over it until he broke the conditions, when Andrews took up his ax and said that he would cut down the bridge. Sworn in court.

John Chott and Jonas Gregory deposed that they fenced in the farm on the outside of the ditch now in controversy, about twenty-seven years ago. Sworn, July 20, 1678, before Samuel Symonds,† Dep. Governor.

Joseph Jacob and John Pengilly deposed. Sworn in court.

Copy of will of William Fellowes, dated Nov. 29, 1676, proved in Ipswich court, Mar. 27, 1677: to his wife, the parlor in his house for life and 12li. yearly to be paid by his three sons, Ephraim, Samuell and Joseph, also two of his best cows and two swine, the sons to keep her in firewood as long as she lives a

† Autograph.

¶ Autograph and seal.

John Prockter v. Gyles Corye. Appeal from a judgment of Major Hathorne, in August last. Verdict for defendant, confirmation of the former judgment.*

widow, also land for a garden, and a quarter acre to sow flax in, she also to have all the household goods; to son Isaack, Marsh lot at Hog island added to what he had already given him; to other three sons, Ephraim, Samuell and Joseph, the other half of his farm and salt marsh, with the buildings, stock and corn; to daughter Mary, 10li. within two years after his decease, and 10li. after his wife's decease; to other three daughters, Elizabeth, Abygaile and Sarah, 20li. each; the daughters should share equally with the brothers. Wit: Wm. (his mark) Story, sr., Thomas Borman, sr., and Samuell Ingalls, sr.

John Chot testified that he lived with Corporal Andrews, etc., and that he and Samuell Ingalls hired Andrews' farm which the Fellows now live upon and improved it, etc. Sworn in court.

William Danford testified that he lived with Sergeant Jacob several years and Chot and Ingalls would not let his master drive his cattle over the land in controversy so he was forced to go by Job's hills, as they used to call them, two or three years, etc. Sworn in court.

*Copies of the papers in this action 11 : 6 : 1678, before Wm. Hathorne,† assistant:

Writ: Gyles Coree v. Jno. Procter; defamation; for saying that Giles Coree was the only person who might have burned his house or set it on fire, for he said it was set on fire willfully, when he afterward said it was set on fire by a lamp which his son carried to bed with him; dated Aug. 5, 1678; signed by Hilliard Veren, for the court; and served by Henry Skery, marshal, by attachment of a chest and a horse of defendant.

John Gloyd, aged about twenty-five years, testified that he lived in the house with John Parker and lodged in the same room, their beds being but four or five feet from one another. The very night that Jno. Procter's house was on fire, said Parker went to bed about nine or ten o'clock and deponent did not hear or see him rise but saw him in his bed the next morning about break of day. Mary, wife of said Gloyd, testified to the same and that she also saw said Parker in his bed about sun rise.

Anthony Needom, aged about forty-six years, testified that he hearing John Procter say to Gyles Coree as he met him with his cart load of wood going to the town, "how now Gyles what wilt thou never leave thy old Trade Thou hast gott Some of my wood here upon thy Cart." Gyles answered, "True I did take two or three sticks to lay behind y^e Cart to

† Autograph.

ease y^e oxen because they bore too hard." This was some time in June, 1678.

Giels Cory's bill of cost, 13s. 2d.

John Phelps, aged about thirty-six years, testified that coming by the house of Jno. Procter about two hours before day and seeing the roof of said Procter's house on fire, with the assistance of Thomas Fuller who was in company with him, used his best endeavor to quench the fire. They thought that it could not have caught fire by accident but by some evil hand.

Thomas Gould, aged about forty-eight years, testified that going into Jno. Procter's house about two days after the roof of the house was burned, he and his wife went in to see the sad accident. Procter's wife showed the nature of it and they noticed that there was nothing burned downward near the upper floor by two feet or more. There was also nothing burned in the room where the bed was. Thomas Flint testified to the same.

John Moulton, aged about twenty-five years, testified that he had heard Gyles Coree threaten the orchard fence of John Pudney, saying that if it were not burnt this year, he would warrant it should be burned next year, and that Pudney would never have any good of his orchard.

Martha Bates, aged about twenty-nine years, testified that she heard Gyles Corey say that Pudney would never have any good of the orchard he had hired of Major Rainsebrough, for it would be burnt.

Nathaniel Puttman and Edmond Bridges, two of the arbitrators in the case between Gyles Corey and John Gloyd, testified that their award was satisfactory to all parties concerned and Gyles Coree gave as many thanks to every one as he ever heard.

Capt. Moore being present at the award took note of the abundance of love manifested between Corey and Procter, for they drank wine together, each paying for part.

Abraham Walcott testified that he lodged in Gyles Coree's house the night of the fire, and Core went to bed about nine o'clock, having come from his work very weary. Also that Core could not have risen in the night without deponent hearing him, and for a long time he had not gone afoot and his horses were all in the woods.

Mary Cory testified that she slept with her husband and could affirm that he was not out of doors that night.

James Poland testified that Jno. Procter said that his boy carried a lamp into his lodging room and set it near the boards and that was how the fire caught.

Jane Moore and Caleb Moore testified to the same. Sworn 26 : 5 : 1678, before Wm. Hathorne,† assistant.

† Autograph.

Mr. Thomas Woodbridge v. Rich. Kent. Forfeiture of 20li. in money. Verdict for plaintiff.*

Capt. John Corwin v. Thomas Blashfield. Debt. Verdict for plaintiff.†

Jno. Parker, aged about forty years, testified that he was at work with his father-in-law Goodman Coree the day before the fire, and going home Coree said he was so very weary that he should not eat any supper and he went to bed. The next morning, Coree about sunrise asked deponent to go with Abraham Walcott to bring a load of hay, and said he himself would try to cut up some pease, etc. Sworn, 26 : 5 : 1678, before Wm. Hathorne,‡ assistant.

Edmond Bridges and John Parker testified.

John Procter's bill of cost.

Robert Moulton, aged about thirty-three years, testified that Gyles Coree had several times threatened him about his planting, saying that he should not plant, also deponent's fence had been pulled down and Coree had threatened to turn all the horses that he met into his ground. Deponent had stolen from him wood, hay, fencing stuff and carpentry tools and some had been seen in Coree's house, and twelve bushels of apples had been stolen from his house. After some difference between Gyles and himself, he threatened that deponent's saw mill should saw no more and later the mill would not work. Deponent said that Coree was "a very quarellsom & contentious bad neighbor."

Gyles Cory's bill of cost, 2li. 11s. 6d.

*Writ: Mr. Tho. Woodbridge v. Mr. Richard Kent of Newbery; forfeiture of a bond, in that he did not abide by the award of Caleb Moody and Joseph Pike; dated Sept. 17, 1678; signed by Dudley Bradstreet,‡ for the court; and served by Joseph Pike,‡ constable of Newbery, by attachment of the dwelling house and land of defendant.

Tho. Woodbridge's bill of cost, 1li. 8s. 2d.

Bond of arbitration, dated June 24, 1678, given by Richard Kent‡ and Tho. Woodbridge‡ to stand by the award of the arbitrators, Caleb Moody and Joseph Pike. Wit: H. Short,‡ Hugh March‡ and John Atkinson.‡

Award of the arbitrators, Caleb Moody‡ and Joseph Pike,‡ in the settlement of the account of Tho. Woodbridge against Richard Kent, dated July 20, 1678, that the account was good, except two items, by Tho. Noyes and — Bryers; and they judged Kent to be indebted 8li. to be paid in barley.

†Writ, dated 21 : 6 : 1678, signed by Hilliard Veren,‡ for the court, and served by Henry Skerry,‡ marshal of Salem,

.‡ Autograph.

Abraham Perkins v. Theoder Attkinson. For refusing to deliver a bill. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with John Akinson and Jonathan Moore, as sureties.*

by attachment of 50s. in Edmond Galles' hands, which attachment was left in his house with his wife.

John Marshall,† bookkeeper for Capt. Jno. Corwin, aged about eighteen years, certified to the account, Mar. 5, 1678, that there was due to said Corwin 15li. 10s. 6d. from Thomas Blashfield. Sworn before Wm. Hathorne,† assistant, and affirmed in court by Capt. Corwin.

*Writ, dated Sept. 12, 1678, signed by Ephraim Turner,† for the court, and signed by Returne Waite,† deputy marshal of Suffolk. Bond of Theoder Attkinson.†

Abraham Perkins' bill of cost, 2li. 13s. 4d.

Copy of record of the Court of Assistants, Sept. 3, 1678, in which they found for the plaintiff, reversion of the former judgment. Copy made by Edw. Rawson,† secretary.

Copy of writ and bond of Theoder Attkinson, with Samuel Graves, as surety, in this action before the Court of Assistants. Copy made by Edw. Rawson,† secretary.

Edward Gove, aged about thirty-eight years, deposed that on Apr. 1, 1671, he paid 12li. in boards for John Stanion of Hampton to Theoder Attkinson of Boston for a debt Stanion owed to Henry Bennet of Ipswich, etc. Sworn, 30 : 9 : 1677, in Salem court. Copy made by Edw. Rawson,† secretary.

Nicholas Lesson, aged about sixty years, deposed that seven years since Mr. Attkinson came to him at Exeter to account with him for what was due to him and deponent told Mr. Attkinson that his son Theoder had shown a letter of attorney from his father to reckon with his father's debtors. He declared that he had given him no such power. Deponent gave him a bill for the payment of what was due. Alexander Doden [Gordon?], aged about forty years, testified to the same, he being present in the house when Mr. Attkinson and his father Lissen agreed. Sworn, June 3, 1678, before Samuel Dalton, commissioner. Copy made at Boston, Sept., 1678, by Edw. Rawson,† secretary.

Copy of letter of attorney, dated May 6, 1670, given by Theoder Attkinson, sr., of Boston to Theodor Attkinson, jr., of Boston, his son. Wit: Robert Marshall and Clem. Sallmon, who made oath, 20 : 1 : 1670, before Richard Parker, commissioner. Recorded at the request of Theodor Attkinson, jr., Mar. 23, 1670-71, by Robert Howard,† notary public. Copy made,

† Autograph.

Daniell Clement acknowledged judgment to Mr. Francis Wainwright.

John Berry acknowledged judgment to Mr. John Wainwright, in fish at the current shipping price.

Thomas Geare acknowledged judgment to Mr. Francis Wainwright, in wheat, barley or pork.

John Bread dying intestate, administration upon his estate was granted to Allen Bread, his brother, who was bound.

Court abated the fine for not prosecuting in Mr. Shepard's case at the Court of Assistants in March last.

Thomas Judkin had his license renewed for a year, also his license for liquors.

The administratrix and overseers of the estate of John Knight of Newbury, deceased, desired the court to settle his estate as follows: the three sons of John Knight, Richard Benjamin and Isaack, to enjoy the house and barn valued at 100li. and 75 acres of land valued at 5li. p acre, making 375li., to be equally divided; the three daughters, to have 80li. each,

11 : 7 : 1678, by Robert Howard,* notary public of the Massachusetts colony.

Stephen Crose, aged about thirty-one years, deposed that about two years ago, talking with Mr. Theoder Atkison, sr., of Boston, concerning that piece of land he had of Mr. William Norton, he said that Mr. Abraham Perkins had paid his old debt after a manner. Sworn, Sept. 24, 1678, before Samuel Symonds,* Dep. Governor.

Abraham Perkins' bill of costs, 12li. 1s. 10d.

John Stanyon, aged thirty-six years, deposed that about five years ago he met with Mr. Theoder Atkinson, sr., at the ordinary at Hampton, and he demanded a debt in boards due from Abraham Perkins of Ipswich, to be paid by order of Henry Benett of Ipswich. Deponent owned the debt and said he would go to Exeter the next day to deliver the boards. Mr. Atkinson said if he would deliver them to his son at Exeter, he would give him a discharge. Sworn, 18 : 4 : 1678, before Samuel Dalton, commissioner. Copy made by Hilliard Ver-en,* cleric.

Walter Fairefeild, aged about forty-six years, testified. Sworn in court.

Daniell Epps, aged about fifty-four years, deposed, Sept. 25, 1678, concerning the bill. Sworn in court.

Edmond Bridges testified. Sworn in court.

* Autograph.

making 240li.; the remainder of the estate was to remain in the hands of the widow, Bathsheba Knight, who was to take the debts out of her part.

Joseph Mayo was bound, with Mr. Thomas Woodbridge, Hugh Marsh and Samuell Gidding, as sureties, to abide by order of the court at Salem or Ipswich concerning the child that may be born and of which Hannah Addams charged him to be the father.

The bond of Thomas Thurley, for the appearance of himself and wife, was declared forfeited.

Benjamin Webster was fined by the Major Genll. 20s. in malt, to be paid to constable Rust.

Joseph Marshall was ordered to be whipped for fornication unless he pay a fine.

Dinah, Benjamin Roff's negro, and Tom, Rich. Dole's negro, were sentenced to be whipped for fornication on the next lecture day at Newbury, constable Joseph Pike to see it done.

Abraham Perkins, Henry Bennet and Thomas Knowlton testified that Phillip Fowler came to Mr. Atkinson with a law book in his hand and said if he would give him a shilling in money, he would save him ten pounds. Atkinson was not willing at first, yet upon discourse, gave it to him or laid it down upon the table. Phillip took it up and went with a law book in his hand to the jury. Sworn in court.

Phillip Fowler, upon complaint, was fined.

Granted a third part of a single country rate to be levied upon the county.

Whereas execution was respitted until this court upon a judgment of costs which Abraham Perkins had against Mr. Wm. Hubbard, court now understanding that there are acquittances between them and Mr. Hubbard shortly expected, further respitted execution.

It being certified that Rowley had mended its highway between Rowley and Andover, the town was discharged of its presentment.*

*John Bridges,† Jno. (his mark) Faulkner and John Marston† of Andover testified, 27 : 7 : 1678, that the country highway from Rowley to Andover in Rowley Village was mended and made substantial.

† Autograph.

Erasmus James of Marblehead had his license to sell liquors out of doors renewed for a year.

John Browne was fined for excessive drinking, and for other misdemeanors was bound to good behavior.

In answer to the petition of Joseph Dell to the Court of Assistants at Boston on Sept. 10, 1678, and by that court referred to the Ipswich court, it was ordered that said Dell may have liberty, with his keeper, to go to the public meetings at Boston on Lord's days, provided the Governor approve thereof.

COURT HELD AT IPSWICH, NOV. 6, 1678, BY ADJOURNMENT.

Mr. Wm. Browne and Mr. John Woodbridg, associates, took the oath.

Ruth Tod was admonished upon her presentment.

Elizabeth Holmes was admonished upon her presentment.

Martha Smith was admonished upon her presentment.

John Waldern was admonished upon his presentment.

Upon complaint against Walter Wright for drawing his knife and offering to stab William Chandler, he was fined.*

*Warrant, dated Oct. 29, 1678, for appearance of Walter Wright, upon complaint of Ensign Chandler that he had lately assaulted and wounded his son William Chandler with a knife, also for witnesses, William, Hannah, Thomas Chandler and John Carleton, signed by Daniel Denison,† for the court, and served by Thomas Ossgood,† constable of Andover, by attachment of house and land of said Wright.

Thomas Chandler's bill of cost, 1li. 14s.

William Chandler, aged about nineteen years, deposed that a month ago Goodman Right early in the morning came up to his father's house and deponent being in the yard, he said to him, "Will, I will shoot your horse: I said to him why: because sd he: he hath ben in my lot to night I replied I ame sorre for that: for I did for git to fetter him to night: but I hop I shall doe so no more: but Goodman Right replied and sd you will always forgit it: but I will goe home and charge my gun and shoot him for he hath don me forty shillings worth of hurt this sumer: then I replied knowing how falce the thing was that it was more like to be forty lyes then Right replied sarar I scorne to lye as littell as you or your father ether: upon his retorting upon my father I was provoked and went to him and tuck him by the coler and sayd to him if he wod not hold his tonge about my father I whould

† Autograph.

make him and so only at that time gave him a shuf from me but did not then strike him upon which the sd Right caled me Roge and in grat violenc dru his knife and sd I I voe Il stabe you and accordinly stroke me with his knife twice upon the brest or belle be for I cold stop him then I stroke up his heles and lyeing over him to take his knife from him before I could command his hand his knife was in he indeauered as I thoght to cut my throt: which although through the goodnes of god he did not doe yet he came very nere it and cut a long deep gaus on my ceeke which came very nere my throt as may apere now by the scare only ocasiond by that cut as also stabd on deep wonde in my hand besid fue or six other smaler cuts about my hand: but at length altho I could not get his knife out of his hand yet I brake it in his hand and so let him rise and then I confese I did giue him a smale crack behind and a box of the ere." Hanah Chandler, aged about forty-nine years, and Thomas Chandler, aged about fourteen years, testified to the same. Sworn in court.

Thomas Chandler, aged about fifty-one years, testified that he was not at home when his son was injured but found him very bloody when he arrived, etc. John Carlton told him that Goodman Right was afterward at his master's shop, etc. Sworn in court.

Roger Marke, aged about thirty-five years, deposed that after Wright had cut Chandler he was passing Joseph Willson's shop and talking with John Carlton, who was a little distance from the shop shaving hops, Wright came to the door of the shop and said that he did not care a twopence if he had killed Chandler. Sworn in court.

John Carleton, aged about seventeen years, deposed that he saw Chandler's mother also lay hold of Wright, etc. Sworn, Nov. 5, 1678, before Nath. Saltonstall,* assistant.

Return Johnson, aged about twenty-five years, testified that he told Chandler that in the interest of peace, said Johnson would cure the scratch. Ensign Chandler said that was the best way, for as he and Wright were neighbors they must live together in harmony and deponent cured the wounds for nothing. Sworn, Nov. 5, 1678, before Nath. Saltonstall,* assistant.

Christopher Lovejoy, aged sixteen years, deposed. Sworn, Nov. 5, 1678, before Nath. Saltonstall,* assistant.

Elnor Phelps, aged twenty-three years, deposed. Sworn Nov. 5, 1678, before Nath. Saltonstall,* assistant.

William Lovejoy, aged about twenty-one years, testified that before the quarrel, Chandler told him that he met Wright on the highway on horseback, and took his horse by the bridle, commanded him to stand and challenged him down from his

* Autograph.

Martha Gilbert was fined upon her presentment.

Luke Perkins' wife was fined upon her presentment.

Laurance Hart was admonished upon his presentment.

The selectmen of Ipswich being presented were enjoined to give an account at next Ipswich court concerning the estate of the children and servants of their neighbors.

Gershom Browne was fined upon his presentment.*

James, a Scotchman, was fined upon his presentment.

Phillip Fowler had his fine remitted.

Richard Woolery being the reputed father of the child of Abigaill Morse, the child Hanah Woolery, being now two years and seven weeks old, was bound to Joseph Pike until twenty-one years of age. Said Woolery was discharged from paying any more.

Quartermaster Perkins had his license renewed for a year, also his license to draw liquors.

Mr. Wainwright's license was renewed for a year.

James Dickenson was fined upon his presentment.†

horse to fight. Wright not wishing to fight, Chandler struck him with a staff. This happened between Wright's and Chandler's houses. Sworn, Nov. 5, 1678, before Nath. Saltonstall,‡ assistant.

John Ballard, aged about twenty-five years, deposed. Sworn, Nov. 5, 1678, before Nath. Saltonstall,‡ assistant.

* James Tenny, aged about twenty-six years, and Franes Palmer, aged about twenty years, deposed that Brown said he could cripple John Houghard, but he said afterward that he spoke in jest.

Phillip Nellson deposed that he heard John Howard call Brown a base fellow and a loggerhead, etc.

Phillip Nelson, aged nineteen years, deposed as to Brown tripping up Howard.

† James Dickenson's answer to his presentment: "I Humbly conceive I am not presented for any Criminall fact nor doe I apprehend I have broken any Law. I confess to my Greife I Joyned with that Company too long; but in the beginning of that Towne meeting which was before they began their meeting; and did act as it appeared by makeing a vote cald docto^r Bennets vote; while the Towne was together some of them carried soe towards m^r philleps, y^e Freemen, members & selectmen (of w^{ch} I was one that year) I resolved to medle with them noe more, whereupon as soone as they began to

‡ Autograph.

Richard Bryer and his wife were fined.

Mary Howlet, presented for stealing, was ordered to pay three fold.

Robert Whitman and John Gamage, upon their presentments, were ordered to make the chimney safe within three weeks upon penalty of 40s.

Judith Thurla, complained of for letting the Indians have liquor on the Lord's day, was fined.*

speak of continueing to doe something after the Towne meeting was dismissed I withdrew myself out of that Roome Into the other end of the house where Samuell Lyon and his family kept, & that I did least they should put mee upon it, to put y^t to vote w^{ch} they would have voted: and I abode in that Roome till y^e vote was ouer: and since that I never had any hand in their actings about any such Irregular acts nor I hope neuer shall."

John Hopkinson deposed that he went with James Dickenson, jr., to the other end of the house, etc.

John Pickard, sr., deposed that he saw his son-in-law, James Dickenson, etc.

Daniell Wickam deposed that being in company with Dickenson and others at John Stickney's the past summer, some one said that he ought to bear part of the charges in the complaint against them at the General Court concerning the differences about Mr. Sheppard. Dickinson said he had nothing to do about the vote about Mr. Sheppards' fifty pounds a year which Doct. Benitt put to vote. Deponent said that Dickinson was one of the chief means of Mr. Sheppard's coming to that meeting, etc. Sworn in court.

David Bennit deposed that Dickinson had urged him to put the vote, as one of the most fit to do it because he was a stranger there, and promised him that he would stand back of him. Sworn in court.

John Clarke and Thomas Alley deposed. Sworn in court.

Sammuell Mighill deposed. Sworn in court.

*Tho. Woodbridge, aged about twenty-nine years, testified that he heard Judith, wife of Tho. Thurla, vainly swear by God divers times within a twelfth month. Sworn in court.

Tho. Woodbridge demanded 10s. for his wife's witness fees.

Examination, dated Aug. 28, 1678, of Job, the Indian: "That Judith bid the young man (who was John Thurley) looke out the runlett in w^{ch} the liquors was. that the sayd John hauing found it, brought it downe & sett it on the dresser. That there was a gill of Rum first drunke before they had that mixed with water. That John powred the Rum

into the basin, & Judith stirringe it with a spoone, the halfe pint was powred into the water. That Judith fetched some sugar, putt it in & stirred it together, & when it was mixed, shee tooke up some in a porringer & gave it to John. He thinks Tim Collins was not in the house when the Rum was powred into the basin, but was gone to looke after the child, & came not in till they had done, & Joseph & he were gone out: but John tarried behind & he was appointed to pay for it, but whether he payd for it or no, he knoweth not. That after they were gone out, Tom & John quarrelled.

Timothy Collins and Judith Thurley testified that on a Sabbath day about three weeks ago, four Indians came into Thurley's house and asked for drink and she denied it to them. John Thurley told Judith that if she would give him leave, he would undertake to find it. He got it and put it on the dresser and said that she might let them have some. She said she dared not and sat down again to reading. Thereupon John poured it into the half pint pot, set it on the table and the Indians drank it, etc. Sworn, Aug. 13, 1678, before Jo. Woodbridge,* commissioner.

John Thurley, aged above eighteen years, and Jonathan Thurley, aged above sixteen years, deposed that they came in the house of their aunt Judith Thurley, when one Indian came in and asked after Mr. Longfellow's [negro?] and went out and brought in three more who sat down and lighted their pipes. Judith told them that her husband had hidden the liquor and she could not find it. The Indians continuing to ask for it, she told Jonathan to look in the woodpile and speak to John to go up into the chamber and look in a butt of wheat. He found it behind the chimney and handed it to Judith who reaching a horn poured some of it out and the Indians drank. Then she sent Timothy out of doors to look after the child. She refused to let the Indians have any more clear rum but that they should have it mixed with water, and brought some sugar out of the parlor. When they had drunk it all, Judith said to one who remained that she was afraid he would be fuddled, but he said if he should drink all day, he would not be fuddled. He took off his coat and left it there and went away. When John and Jonathan were going home they met the Indians quarreling and one of them came toward them with a hatchet. They not knowing what he said, one of the others came and told them that he wanted them to take the hatchet for fear someone might take it from him by force, but they would not meddle with it. Two of the Indians went to the falls and the other two came toward the town. Sworn, Aug. 16, 1678, before Jo. Woodbridge,* commissioner.

*.Autograph.

Daniell Lunt's wife was fined upon her presentment.

Lawrance Clenton was ordered to pay to Rachell, his wife, one peck of corn a week.*

Marke Quilter dying intestate, Joseph Quilter his brother was appointed administrator to dispose of the estate according to a paper left by deceased and sworn to by Edward Lomas and Simon Stace.

John Browne was ordered not to pay the two ten pounds to his sisters until the next March court when court would consider it.

Sarah Savory was admonished upon her presentment.

John Baker, for drunkenness and reviling, was fined.

Hanah Hobert was admonished, upon her presentment. The treasurer was to pay 5s. to the constable of Ipswich.

Thomas Lovell was bound for the payment of 10li. to Hanah Roberds which he paid at Ipswich court in Apr., 1679.

Nicolas Wallis and Simon Stace were bound to pay to Ephraim Roberts, 10li. at the age of twenty-one years. The security that Thomas Perrin gave for the payment of the portions of Roberd Robberd's children was released.

Arter Abbott brought in his account about the charges of the child of Mary Greely, Laurance Clenton being the reputed father.

* Petition dated Sept. 25, 1678, of Rachell, wife of Laranc Clinton: that her husband was ordered by the court to allow her 2s. per week for her maintenance, about ten years ago, and she had never received more than ten pounds in all, and upon her asking for a divorce on Nov. 6th last, court declared that it could not be done but ordered her husband to pay her 50s. upon demand, which she has never received. She asked for assistance, as she had suffered the loss of her estate by her husband and is now altogether neglected by him.

Letter of attorney, dated Mar. 13, 1677, given by Samll. Stocker* of Boston, mariner, to John Keene of Boston, innholder. Wit: John Hayward† and Eliezer Moodye.† Sworn, Mar. 14, 1677-8, before Edward Tyng,† assistant.

Whereas John Lee,† for 5s., withdrew his action against Samuell Stockor, Edmund Bridges,† as attorney to John Keen, as he was attorney to Samuell Stockor discharged John Lee of all charges, Sept. 28, 1678. Wit: Thomas Waite, sr.,† and John Chote.†

John Hiden deposed that James Davis went to take some

* Autograph and seal.

† Autograph.

Having granted administration to Elizabeth Paine, relict of Mr. John Paine, late of Boston, who brought in an inventory amounting to 179li. 9s. 6d., the funeral charges and what she had of necessity expended being deducted, there remained 101li. 1s. 10d., and 288li. 13s. 10d. being legally due from the estate, brought in by the committee appointed by the court, Nov. 6, 1677, the court calculated that it would pay the creditors 6s. 8d. upon the pound, as follows: Capt. John Hull, 35li. 15s.; William English, 10s.; Mr. Jacob Eliot, 10li. 13s. 3d.; Hezekiah Usher, 31li.; Mr. Richard Russell, 28li. 16s. 6d.; Major Thomas Savage, 27li. 9s. 1d.; Mr. Jonathan Corwin, which was a debt to Robert Gibbs, 81li.; Mr. Shrimpton, 20li.; John Whipple, 3li.; Mr. Chadwell of Salem, 25li.; Mr. Ting, 8li.; Mr. John Rogers, 17li. 10s.; total, 288li. 13s. 10d. The administrator was ordered to pay.

COURT HELD AT HAMPTON, 8 : 8 : 1678.

Major William Hawthorn, president; Major Pike, Capt. Nathl. Saltonstall, Mr. Saml. Dalton and Capt. Jno. Gillman, associates.

powder from a boy and deponent said "do not take powder from a boy but if you will take it, take from a man and upon that he struck me." Owned in court by James Davis.

Venire, dated Aug. 24, 1678, for grand jury and trial jurymen from Andover, signed by Robert Lord,* cleric, and served by Tho. Ossgood,* constable of Andover, who returned the name of Henry Ingalls for the trial jury and John Marston for the grand jury.

Venire, dated Aug. 24, 1678, for grand jury and trial jurymen from Topsfield, signed by Robert Lord,* cleric, and served by Samuell Howlet,* constable of Topsfield, who returned the name of John Redington for the grand jury and John Comings for the jury of trials.

Andrew Hiden and Jerimiah Pearson deposed that when John Baly came into the mill and would have his turn and took his bag and set it on some of Hiden's corn, putting the end of the bag into the hopper, Hiden laid his hand on the boy's mouth, whereupon the boy bit him.

Samuel Boynton, aged eighteen years, and Anthony Bennitt, aged about seventeen years, deposed concerning the dispute at Rowley mill, etc.

Samuell Platts deposed concerning the dispute.

* Autograph.

Jury of trials: Leif. Georg Brown, foreman, William Samborn, sr., Willi. Fifeild, Anthony Taylor, Francis Page, Jno. Stevens, jr., John Easman, Ephraim Winsly, Samll. Colby, Willi. Sargent, James Davis and Nath. Foulsham.

Grand jury: Henry Brown, foreman, John Cleford, sr., Godfrey Dearborn, Abraham Cole, Henry Dearborn, John Ilsly, John Stevens, sr., Jno. Gill, Peter Foulsham, Edmond Elliott, Jno. Weed, Robt. Eyer and Tho. Eyer.

John Keyser of Haverhill v. John Johnson, sr. For withholding an acquittance. Verdict for plaintiff. The acquittance was given, Oct. 10, 1678, by John Johnson of Haverhill, with George Brown and Thomas Roby, as witnesses.

Peter Eyer v. John Arnold of Boston. For withholding money due for 10,000 pine boards delivered to Henry Collins of Lyn. Verdict for plaintiff.

Jon. Allin v. Tho. Clarke. For defendant, as the marshal's deputy, attaching the estate of said Allin in the suit of Steven Cross of Ipswich to appear at Salem court in 9 mo., 1677, came to an agreement with Allin to deliver Cross 20s. or 500 feet of boards at Exeter, on which account the case was not to proceed, but defendant returned the attachment and the action proceeded in Allin's absence. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Clarke bound, with Stephen Crosse and Jno. Kindrick, as sureties.

Henry Roby and Nath. Boulter v. Robert Evens. Review of a case tried at Hampton court in 1672. Evens against Roby and Boulter. Trespass. For cutting and carrying away his hay and grass for several years from a parcel of fresh meadow near the beach, which he bought of Edward Colcord. Verdict

From Samuel Dalton's Commissioners Records. See *ante*, vol. 5, p. 235.

On May 6, 1678, Peter Foulsham of Exeter and Susanna Cussons of Wells were married.

On May 29, 1678, Nathaniel Bachelder was sworn clerk of the trained band.

On June 4, 1678, Michell Towsley and Mary Husse, both of Salisbury, were married.

John Ted of Woburn and Elizabeth Fifield of Hampton were married June 12, 1678.

Joseph French, jr., and Sarah Eastman, both of Salisbury, were married June 13, 1678.

Charles Runlett of Exeter acknowledged judgment to Nathaniel Browne of Salisbury, July 4, 1678.

Phillip Easman of Haverhill and Mary Morse of Newbury were married 22 : 6 : 1678.

Joseph Sherbin and Amee Cowell were married 19 : 8 : 1678.

for defendant. Appealed to the next Court of Assistants. Plaintiffs bound, with Christopher Palmer, as surety.

Humphrey Willson v. Nathanel Boulter and Willi. More. For not making good a covenant, concerning the hire of plaintiff's island near his grist mill, in which covenant they were bound with Jno. Warrin and Jonathan Thing, late of Exeter, deceased, to pay him ten pounds for ten years' rent of said island. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendants bound, with Henry Roby as surety.

Major Robert Pike v. John Wells. Debt. Forfeiture of a bond. Verdict for plaintiff. Execution was respitted on account of defendant being out of the country.

Jno. Mason acknowledged judgment to Sam. Levitt, in hay.

Tho. Rawlins acknowledged judgment to Samll. Levitt of Exeter in boards.

Edw. Hilton of Exeter acknowledged judgment to Sam. Levit, in boards and silver money.

Christopher Palmer acknowledged judgment to Mr. Edward Woodman, in boards.

Georg Jones acknowledged judgment to Mr. Saml. Dalton, treasurer of Norfolk.

Major Pike's complaint against Mr. Hook was settled by payment of a fine.

Danll. Thirston of Nubery acknowledged judgment to James Davis of Haverhill in cider, rum, English goods or corn, sheep and neat cattle.

Joseph and Benjamin Grele, Samll. and Joseph Eaton were fined for abusing the widow Goodale of Salisbury by throwing stones at her house at unseasonable times at night, frightening her.

Nathll. Foulsham, bound for selling strong drinks without license was fined, but with respect to a public meeting of the "troop of Norfolk at y^e town of Exeter this summer, w^e might occasion more houses of entertainm^t than one," court remitted the fine.

Administration of the estate of Richard Allin, late of Haverhill, deceased, was granted to Joseph Allin, his brother, who gave bond with Jeremiah Allin, as surety. Court ordered that the estate be divided according to the evidence of Martha Hubbard,

Mary Hewes and Jerimie Allin, cautioning him not to pay off any except legal debts.

Martha, wife of Richard Hubbard of Salisbury, testified that being with her brother Richard Allin immediately before his death in the summer of 1678, she heard him say that he bequeathed to his sister Mary Hues the better part of his estate and what was left to his brethren Joseph and Jerimie, equally. A chest with its contents then at his brother Peter Eyer's house in Haverhill he bequeathed to Saml. Eyer, son of his brother Peter.

Mary Hewes and Jerimie Allen deposed the same. Sworn Oct. 8, 1678, before Nath. Saltonstall,* commissioner.

Inventory of the estate of Richard Allin, deceased, taken June 8, 1678, and allowed in Hampton court: wareing clothes of Richard Allin appraised by Sargent Stevens and John Easman, at Salisbury, 7li. 13s.; Robert Clement and Danll. Lad, jr., appraised 40 acres of land at Haverhill, 90li.; 2½a. of meadow, 7li.; 2 Common Rights, 10li.; Danl. Clement and Abraham Clement appraised a chest at Haverhill, 2li.; total, 117li. 3s.

Daniell Ela "haveing been disappointed by y^e Providence of God in the Small Pox being at his house in y^e Spring last, so that he could not make improvement of his license to sell drink," and he pleading that he had put in a supply of drink, court granted him a license until the next Salisbury court to sell wine, liquor, beer, cider and provisions for man and beast or travellers in Haverhill, he attending upon his peril to the directions in the law given to persons who keep houses of public entertainment.

John Moulton was sworn constable of Hampton for the ensuing year.

Major Robert Pike, Capt. Tho. Bradbury and Henry Brown were sworn commissioners to end small causes for Salisbury.

Elizabeth Perkins having been appointed administratrix of the estate of Abraham Perkins, jr., of Hampton, and ordered to appear at this court for settlement, was excused, she being near her time of travail. She was to appear at the Salisbury court in April, 1679.

A proposition having been given in to this court, Oct. 8, 1678,

* Autograph.

under the hands of the selectmen of Hampton that Samll. Sherborne, who had bought the living at Hampton where old Goodman Tuck lived and kept ordinary or a house of entertainment, have a license to keep a public house of entertainment at that place, for selling wine, liquor, beer, cider, and entertainment for horse, man or travellers, court granted it, with the proviso that he keep all the laws relating to innkeepers and keep a house that may be suitable to entertain the court and strangers.

John Page being propounded by the selectmen of Haverhill to keep a house of public entertainment at Haverhill for the sale of wine, liquor, beer, cider and provision for horse, man or travellers, was granted a license within the prescribed limits.

Frances Jennis was discharged of his bond for good behavior.

Mrs. Sarah Stockman and Robt. Downer, called as witnesses for the country against Sargent Eaton, defaulted and were fined. Eaton was discharged.

Upon complaint of Isaac Perkins, court ordered that he should not be molested by the town of Hampton concerning any highway to go through his land until such time as the court should determine, and that the selectmen of Hampton appear at the next Salisbury court to answer the complaint.

Upon request of Mr. Andrew Wiggin, license was granted him to keep a public house of entertainment for strangers and travellers and to sell wine and liquors, provided he strictly observe the laws concerning innkeepers.

Samll. Colby, for selling wine by retail without license, was fined 5li., and he appealed to the next Court of Assistants.

William Sargent was fined upon his presentment.

Inventory of Hugh Sheratt's estate, late of Haverill, being presented to this court, was referred to the next Salisbury court, and the selectmen of Haverhill were ordered to summon all persons interested in the settlement to appear at that time.

Thomas Mekins defaulted and his bond was declared forfeited.

Will. Johnson defaulted and his bond was declared forfeited.

Mr. Hook's complaint against Major Pike, Jno. Allin and Robt. Pike, jr., was referred to the next Salisbury court.

Ephraim Winsley testified that being constable of Salsbury the past year, he served an attachment upon Jno. Weels for

Court ordered Capt. Saltonstall to call Bartholemew Heath before him to answer to the presentment brought in by the grand jury to Salisbury court, Apr., 1678, about being too much in drink or liquors.

Samll. Watts was appointed administrator of the estate of Samll. Giles and ordered to bring in an inventory to the next Salisbury court.

Isaac Perkins was fined ten groats for threatening to shoot Joseph Dow.

A rate of 50li. was ordered to defray the county debts.

Ten shillings allowed the servants.

COURT HELD AT SALEM, 26 : 9 : 1678.

Judges: Maj. Genll. Daniell Denison and Major William Hathorne, assistants; Mr. Woodbridg and Mr. William Browne, associates.

Grand jury: Leift. Jeremiah Neale, foreman, Frances Skerry, Christopher Babbadge, Thomas Rootes, Henry West, John Devorix, John Abby, Onesipherus Allen, John Davis, John Burrill, Samuell Johnson, Robert Potter, John Collens and Humphry Woodbery.

Jury of trials: Mr. Eleazer Hathorne, Leift. John Pickering, John Marston, Mr. Wm. Hirst, Nathaniell Beadle, Samuell Balch, Samuell Morgaine, William Fisk, William Seargent, John Ballard, Joseph Collens, John More, and in the action of Capt. Oliver v. Nahant and Lynn, Leift. Paul Thorn-dike, Frances Nurss, and Wm. Rayment, in place of Lynn men.

Nathaniell Putnam and John Holms of the grand jury and William Trask and Joseph Hutchenson of the jury of trials were fined for not appearing.

Major Robert Pike for a debt of 5li. and committed him to Abraham Knolton to keep, who later took him to Major Pike who released him. Sworn in court.

From the Salem Commissioners' files:

Writ: John Hunnywell v. Robert Cannon; for security for the payment of a debt; dated 26 : 11 : 1677; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem, by attachment of a bed, sea bed, pillow, blanket, sea coat and a wicker basket.

Mr. Nathaniell Masters, aged about forty-seven years, deposed that he heard Cannon speak before John Hunniwell gave his bill for him as if he were intending to go in the sloop with Hunniwell, but afterward he said he should

*Autograph.

go in some other vessel out of the country. Sworn, Feb. 4, 1677, before Bartho. Gedny,* commissioner.

Ephraim Marston, aged about thirty-four years, deposed. Sworn, 4 : 12 : 1677, before Wm. Hathorne,* assistant.

John Hunniwill's bill of cost, 12s. 10d.

Bond, dated Jan. 24, 1677-8, given by Robert Cannon,† now resident in Salem, mariner, to John Hunniwel, seaman, now resident in Salem, for 40s. Wit: James Browne* and Francis Neal.*

Writ of execution, dated 7 : 12 : 1677, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Peter Swetland, aged about twenty-nine years, deposed. Sworn in Court of Commissioners.

Papers in the Commissioners' Court, 5 : 1 : 1677, at Salem:

In an action of Jeremiah Neale, attorney to Andrew Mansfeild and Mary, his wife, executrix of the estate of Jon. Neale, her late husband, against Hen. Skerry, sr., court gave judgment for plaintiff.

John Grant, for drunkenness and swearing, was fined and imprisoned. John Marston, jr., deposed that he heard Grant swear by God's wounds and speak many other bad words. William Stacy, the younger, testified that he was drunk. Jacob Pudeater promised payment.

Allixander Mackmallen, for being much in drink, which he confessed, was fined or to be put in the cage three hours.

Moses Chadwell acknowledged judgment to Mr. Edmond Batter.

Writ: Mr. Edmond Batter v. Moses Chadwell; debt; dated 26 : 12 : 1677-8; signed by Hilliard Veren,* for the court.

William Wood,* Thomas Candis,* John Roades* and Chas. Green* certified "that John Colle hath Liued heare this seven yeares in maruellhead and hath paid all Rattes and taxes what hath been demanded and that hee Is now Ratted upon oure Constables Ratte And that hee Lives now att William Woods house when hee Is from sea and his goods Is theire and his sonn Is their att William Woods house."

Writ of execution, Mr. Edmond Batter against Moses Chadwell, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Writ: Jeremiah Neale, attorney to Andrew Mansfeild and Mary, his wife, executrix of the will of John Neale, her late husband v. Henry Skerry, sr., for cutting and carrying away several trees in Loofe's lot, so called, in Salem north field; dated 9 : 12 : 1677; signed by Hilliard Veren,* for the court; and served by Nathanell Beadle,* constable of Salem.

Jeremiah Neale's bill of cost, 1li. 18s.

Mary, wife of Andrew Mansfeild,* certified, Mar. 4, 1677-8, that she gave power to her son Jeremiah Neale to make a division of Luff's lot, one half of which was given by her husband's will to her son Johnathan Neale and the other half to her, which order was given three months since. Wit: Chariti (her mark) Nicols and Ane (her mark) Neale.

John (his mark) Peas and James Symonds* appraised the damage on Luff's lot, next to Marshal Skerries, from Neale's rock across the lot over to Eborn's bounds, at 5s. Sworn in court.

Letter of attorney, dated Feb. 1, 1677, given by Marye Mansfeild,* wife of Andrew Mansfeild,* to her son Jeremiah Neale of Salem. Wit: Lydiah (her mark) Hart and Edward Flint.* Sworn in court.

Edward Flint* and James Symonds* divided Luff's lot as follows: to Jonathan Neale, the part next John Massies, formerly Goodail's; the other half is next to Marshal Skerrie's at the upper end "and soe rangeing y^e length of y^e sayd land against y^e heads of Robin's his lot Rayes lott & y^e afore-sayd Skerries Lott." Sworn in court.

John Williams, aged about forty years, deposed that the land had been enjoyed by Henery Skerry, sr., for about twenty-two years. He had mowed there for his father-in-law several times up to the cartway which was always the cartway ever since he could remember. He had also been there when

*Autograph.

†Autograph and seal.

John Neall, sr., had been at work on the other side of the cartway, and never heard him make any claim to it. Sworn in court.

John Massey, aged about forty-seven years, deposed.

John Pease, sr., deposed that the upper end of Goodman Matson's lot adjoining Marshal Skerrie's which "was formerlie Vermasses bounds upon y^e highway and y^e bound att the upper end att y^e north East corner next Vermasses lott is a stumpe of a tree, where there was a stake last Satterday. The land adioyning att y^e upper end next this bound, was alwayes accounted as highway & improued to that end by carting upon itt and by goodmon Cole mowing & carrying away y^e Hay, and this he Did for about y^e space of Seaven yeares while I liued with my master w^{ch} is aboutw twentie seaven yeares since and this he did by claiming a priuledge of y^e grass of that way in y^e upper end of that range of Lotts." Also "all y^e while I liued with my Master That Vermasse neuer claimed any land by improueing of itt or any other way in my time, then to y^e place where now y^e range of trees are cutt downe next to Rayes bounds." Sworn in court.

Simon Rumarill testified that about a year ago when he was apprentice to Marshal Skerrie, he cut the trees across the lots to Eborne's lot, etc. Sworn, Mar. 5, 1677, before Bartho. Gedney,* commissioner.

Jeremiah Neale and John Neale deposed that John Neale, deceased, owned the land for twenty years, etc. Sworn in court.

Henry Skerry, sr., aged above seventy years, deposed. Sworn, 26 : 12 : 1677, before Bartho. Gidney,* commissioner.

Joshua Ray, testified that the heap of stones near a black oak tree at the west corner of his father's lot had always been the corner bounds between his father's lot and the lot of Richard Waterman, which was the widow Vermasses'. Also the said heap of stones was always the reputed corner bound of Richard Waterman's lot, which is now in possession of Marshal Skerrie. Deponent's father's lot bounded upon the highway at the upper end. Sworn in court.

Frances Skerry, aged about seventy years, deposed that the lot had been in possession of his brother Henry Skerry and those before him about forty years, etc. Sworn in court.

John Peas, sr., and James Symons testified. Sworn in court.

Francis Nurse testified that the northeast corner bound of Vermasses' lot bends toward the river southeast more than the northwest corner, and he heard Vermasses' sons say when the land was in their possession that they had broken up part of the highway. Sworn in court.

Tho. Robins, aged sixty years, deposed that he did not know the bounds at the northeast corner until John Neale showed him the stones near a place that was called the ox pen. Deponent had known this lot for about thirty years. Sworn, Mar. 1, 1677-8, before Bartho. Gedney,* commissioner.

Henry Skerry, jr., aged about forty years, deposed that his father had enjoyed this land twenty-four or five years, etc. Sworn in court.

Writ: Jonathan Hart of Salem, in behalf of himself and sisters, Elizabeth, Sarah, Deborah and Florence, only children and heirs of John Hart and Florence, his wife, formerly of Marblehead v. Richard Rowland; for withholding a certain parcel of land containing five acres, which was part of Hart's interest which he purchased in Mr. Humphryes farm; dated Mar. 18, 1677-8; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Richard Rowland's bill of cost, 1li. 9s.

Jonathan Harte's bill of cost, 2li. 2s. 11d.

Copy of papers in a similar action brought, Mar. 25, 1673. in Ipswich court.

John Cooke, aged about thirty years, and John Traske, aged about thirty-five years, deposed that they heard Rowland own that he had three acres of Hart land in his possession and he proffered Edward Flint and Jeremiah Neale forty or fifty shillings in silver provided they would not trouble him about it. Sworn in court.

Mr. Richard Norman, aged about fifty years, deposed that he was present

* Autograph.

at the dividing of the farm, called the Plaine farm, which was purchased from Major Hathorn by John Hart and the rest of the proprietors. Sworn in court.

James Dennis and Nathaniell Walton testified that they having been appointed by the town of Marblehead to examine all persons belonging to the town as to their right to keep cattle on the farm and common, etc. Sworn, Mar. 18, 1677-8, before Moses Mavericke,* commissioner.

Richard Norman, aged about fifty years, deposed that John Hart was an inhabitant of Marblehead and his son Jonathan Hart is now dwelling in Salem. Sworn in court.

Moses Mavericke deposed. Sworn, Apr. 1, 1678, as commissioner.

Moses Mavericke* and Thomas Pitman,* on Apr. 2, 1678, appraised the land on the farm as worth 40s. per acre.

Jno. Cook and Thomas Flint testified that Rowland told them that he had none of Hart's land, but he bought a cow's lease of Capt. Corwin on the common. Sworn in court.

Richard Norman, aged about fifty years, and James Dennis, aged about thirty-five years, deposed. Sworn in court.

John Traske* and John Cooke* testified that they appraised the land in controversy, on Mar. 26, 1678, at 4li. 15s. Sworn, Mar. 26, 1678, before Moses Mavericke,* commissioner.

Letter of attorney, dated Apr. 11, 1673, given by Jonathan Hart† of Salem, to his brother-in-law Edward Flint and Jeremiah Neale of Salem. Wit: Matthew Woodwell* and John Andrews.* Sworn before Wm. Hathorne.*

Daniell Crocker, Richard Meak and John Breime deposed that being at Jno. Wilkinson's house the last night about seven o'clock, on Mar. 6, they saw one pint of rum drunk among eight men and nothing else but a cup of small beer. Sworn, Mar. 7, 1677, before William Browne,* commissioner.

Petition of John Wilkason,* Apr. 2, 1678, to the Salem commissioners: "You may Remember that not longe sence I was bound over to this court to Answer for a crime|| as I am charged|| for sum parsons drinking in my hous and Thomas Edwards being overtaken with drinke now the Answer that I now make is that this edwards with sum others brought me sum fish and it was very cold wether and ther being ayght in company I Burned one pint of rum and that we dranke together and every one as well as I am now for ought I could parcaue: but this edwards did goe to the glob and drank severall pots of bear after he was at my hous and as I am informed did drink rum at another publick house that I am not willing to name, I nether sould rum for fish nor bought fish and payed for it in rum: but only the rum that I gaue them to requit them for a kynys for as theould provarb hath it one good turne desarys another as when the portars haue done anny kynys for a marchant my Judges hear knows it that they used to be stow a dram or a Glass or tow of wine one that hath done them any kidnys, " etc.

Rich. Meeke and Jno. Browne, aged about thirty years, testified that they drank a bottle of rum and when they went out they lost Thomes Edwards and did not know where he went. Sworn, 7 : 1 : 1677-8, before Edm. Batter,* commissioner.

Will. Downton testified that he asked Jno. Browne why he left his companion and he replied that he was afraid the constable would come and take him. Sworn before Edmund Batter.*

Bond of Jno. Wilkinson and Jno. Launder, taken by Edmund Batter.*

Warrant, dated 2 : 2 : 1678, for the apprehension of Gilbert Tapley for raising reports about Mr. John Higginson, signed by Hilliard Veren,* for the court, and served by Wm. Curtis,* constable of Salem.

Manassah Marston, aged about thirty-six years, deposed that about a month since being in company with William Punchard and Joseph Straker, he heard them say that Gilbert Taply reported to them that "Mr. Higginson Laid In to gett thatt part of the Neck that Joined to Capt. Savage his grownd and the reason why he soe Indeavored to get the sd land was thatt he being in his

*Autograph. †Autograph and seal.

sons debt might thereby pay him that debt." Sworn, Mar. 25, 1678, before Bartho. Gedney,* commissioner.

Warrant, dated 2 : 2 : 1678, for the apprehension of Morgaine Joanes, William Lake's man, for being much in drink, signed by Hilliard Veren,* cleric, and served by Wm. Curtis,* constable of Salem.

Warrant, dated 2 : 2 : 1678, for the apprehension of Thomas Vealy and Charles Hill, and also a summons to James Browne, glazier, as witness against the former, and Edward Bridges and his wife as witness against the latter, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Ed. Bridges and Sarah his wife testified that about one month ago Charles Hill came to our house upon a Lord's day in the morning and desired a pot of beer and a cake. They asked him to go to meeting but he replied that he always went to the Quakers meeting and he scorned to go to hear old Higgenson for he was an oppressor of the poor and he bound it by swearing by the name of God. Sworn in court.

Sarah Milke testified that she saw Gils Alley come from William Lake's way Saturday about May 22 so disempered with drink that he ran against the pales. Alice Parker testified to the same. They also testified that Jno. Mansfield and Jno. Dunster came into their house from Lake's way and being in drink frightened them. Sworn, 2 : 2 : 1678, before Edmund Batter,* commissioner.

Writ of execution, dated 2 : 2 : 1678, against Mr. John Gifford, to satisfy John Lee, signed by Hilliard Veren,* cleric.

Warrant, dated 6 : 3 : 1678, for the apprehension of Giles Hibbins, signed by Edmund Batter,* commissioner.

"William Dounton, henery west william Swetland as tithingmen going to see what Company ther was in the ordinary and to kler the houses after we had ben about the oupper part of the town we went to frances kollenses wher we found william Curtis and thomas searel konstabels sitting befor the fier with ech of them ther men to atend them they told us that they wer going the Rouns we found them smoking and so we left them the euning being shet in we Returned hom but we thoft it was no good exampel for konstabels so to doe

"on the 4 may being the last day of the last week after the euning was shot in wee went to frances Collenses again and ther wee found konstabel tomas serel and 3 more with him discorsing about mater not sutabel for the beginning of the Saboth with a pot in on of ther hands wee told them that it was not wel don to be drinking ther at such a tim as that was the Constabel Replyed that ther had ben no bear Cald for sine he Came into the hous we must Confes that we saw no bear but wee saw them seting Round together smoking and the pot in on of ther hands sum words wer spooken against such an euel exampel wher upon the Constabel start up from his seat and in his desplesur required us in his magestys nam to go along with him for he was Resolved to go to Gilbord taplys wee Redyly obeyed his Comand and went with him and as we going down along we saw thomas Ros Come out of John taplys hous as wee thought the Constabel past along by him myself also past by him and spack not to him but goodman west spak to him and asked from wene he cam he ancered sorlily and said what is that to thou or words to that purpos and Returned upon me will Dounton with many abusful languag at which words I was not moued but said to him that he mit go about his bus but he being disgised in drinke as we did aprihend and would not be perswaded to go his way and we left him and went to John taplys hous and he folloed us to the hous with many thretning speches saing that he would breack my bons and his stick was up as thow he would have executed his fury he hering spack of going to gilbord tapleys said that ther wer them that whould breack our bons and farder said that if he had me but half a mil from that plae that he would break my bons I spack to the Constabel and asked him wher he whould se such an abuc and not apprehend the man but he was not wiling for he did not wher upon I said if he whould not then I whould and Required the Constabels

* Autograph.

assitsane in his magesty nam but he Replyed that wee Could not Requir him but said that it was an abus atorrity and said that he must bear testamony against it but was not willing that he should be caried before a Comishonr now becaus he was in drink but he was willing to goe thence and wee broft him away and by the way he said have I ben a Captain for the kontry and fout against the Ingans and now to be handled by such pitiful fellows a pox tack you al with many other unkoomly words til wee cam to mister gidnes hous." Sworn by William Dounton and Henry West, 7 : 3 : 1678, in court.

Writ of execution, dated 29 : 5 : 1678, against Mr. Christopher Lattamor, to satisfy judgment granted Capt. Richard More, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Richard More's bill of cost, 18s.

Mr. Christopher Lattamor, Dr., May 10, 1675, for a pr. of pannells & mending of a Sadle, 3s.; Making up a sadle, 14s. 6d.; 2 buckells & buckling a girt, 6d.; a pr. of swivell stirrups & leathers, 4s. 6d.; one smale Trunke, 4s.; one large Trunck, 7s.; one fox chaine & collar, 2s. 6d.; one Trunke more, 4s.; one snaffell, 9d.; covering one sadell, only the seat was your own, 10s.; one stirrop Iron & a girt, 2s.; total, 2li. 2s. 9d.

Writ: Richard More, as the husband of the relict of Samuel Crumton v. Christopher Lattamor; debt; dated May 23, 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Writ: Benjamin Masure v. Edmond Bridges; debt; dated 26 : 4 : 1678; signed by Hilliard Veren,* for the court; and served by Robert Lord,* by attachment of a shop of defendant's.

Edmund Bridges' bill of cost, 7s.

Edmond Bridges was presented for his unfaithfulness to Benjamin Mazure, he being his attorney to manage a case for him when absent at sea, having accepted 10s. therefor; and upon an appeal from the judgment, he became attorney for the opposite side, Phillip English.

Letter of attorney, dated May 27, 1678, given by Benjamin (his mark) Mazure† of Salem, fisherman, to James Browne, glazier, of Salem. Wit: Hilliard Veren, sr.,* and Timo. Lindall.*

Copy of bond, dated 30 : 8 : 1677, given for Benjmain Mazury's appearance, signed by James Browne, Edmond Bridges and Benjamin (his mark) Mazury.

Benjamin Mazury's bill of cost, 15s. 8d.

Henry Skerry, jr., aged about forty years, and James Browne, aged about thirty years, deposed that they saw the 10s. paid, etc. Sworn, 26 : 12 : 1677, before Bartho. Gidney,* commissioner. Lawrence Masury deposed the same. Sworn, 28 : 3 : 1678, before Edmund Batter,* commissioner. James Browne owned the foregoing testimony in court.

Phillip English, aged about twenty-seven years, testified that being in company with James Browne of Salem at Mr. Daniell King's house sometime in November last, he heard James Browne say that he was attorney for Mazure and so deponent tried to persuade Edmund Bridges to be his attorney but he refused. Deponent then employed Lt. Way of Boston. Sworn in court.

Phillip English's reasons of appeal, signed by Edmond Bridges,* as attorney: "It is every dayes waye in every trading towne, for marchants upon neglect of payment, for to arrest theire debtors," etc. The debt was for the passage of a maid from Jerzey. Sworn, 27 : 12 : 1677, before Hilliard Veren,* cleric.

Copy of letter of attorney, dated Oct. 27, 1677, given by Benjamin (his mark) Mazure of Salem, seaman, to James Browne of Salem, glazier. Wit: Hilliard Veren, sr., and Laurance Mazure.

Walter Fayerfield, aged about forty-seven years, deposed. Sworn, June 27, 1678, before William Browne,* commissioner.

Nathaniell Beadle deposed that James Browne said he received of Mazure twenty shillings. Phillipp English testified to the same. Sworn, 2 : 5 : 1678, in court.

Writ of execution, dated Aug. 2, 1678, against Thomas Tuck to satisfy

* Autograph.

† Seal.

judgment granted Mr. John Ruck, sr., signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

John Ruck's bill of cost, 14s. 10d.

Writ: Mr. John Ruck v. Thomas Tuck, sr., blacksmith; debt; dated 13 : 4 : 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Writ: Mr. Steephen Haskett v. Christopher Latamore; debt; dated 14 : 4 : 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Writ: Mr. Steephen Haskett v. Jonathan Knights; debt; dated 14 : 4 : 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Writ of replevin, dated 5 : 8 : 1678, for a mare of Jeremiah Rogers impounded by John Bullock, signed by Hilliard Veren,* for the court, and served by John Norman,* constable of Salem.

At a meeting of the selectmen of Salem, 19 : 2 : 1678, James Poland and John Holmes were chosen surveyors of fences in the south field, as attest, Jno. Higginson,* recorder.

Jno. Bullock's bill of cost, 13s. 6d.

John Simson, aged about forty years, testified. Sworn, 5 : 9 : 1678, before Ed. Batter,* commissioner.

John Sympson, aged forty years, deposed that being in the south field about a week before it was laid open, at the time when John Bullock, the hayward of the said field, had impounded a mare of Jeremiah Rogers, the latter asked Bullock if he would let his mare out of pound. He said that he would not for the mare had been impounded before and it had not been paid for. Rogers replied, "yor father Pickering hath put his Cattle into the south field many & many a time and I have taken him coming out with them which I can prove and after yor Fathers Cattell haue been turned out then you have pounded other folks Cattell, then the sd Bullock spake to those that were present Gentlemen bear wittnesse how he abuseth my Father who scornes such a thing."

John Bullock testified to the same. Sworn, 5 : 9 : 1678, before Edm. Batter,* commissioner.

John Sympson, aged about forty years, deposed concerning the gray mare, etc. Sworn, 5 : 9 : 1678, before Edm. Batter, commissioner.

Resolved White, aged about sixty-three years, deposed. Sworn, 5 : 9 : 1678, before Edm. Batter,* commissioner.

James Pollard, aged about forty-six years, and John Holmes, aged about thirty-nine years, chosen by the selectmen of Salem as surveyors of fences in the south field, testified that the north side of the south field fence was sufficient for all orderly cattle. Sworn, Nov. 5, 1678, before Bartho. Gedny,* commissioner.

Manassch Marston and John Glover, jr. deposed. Sworn, 5 : 9 : 1678, before Edm. Batter,* commissioner.

Writ: Leift. John Higginson v. Benjamin Webster; debt, for a parcel of leather which Webster took of John Devorix on plaintiff's account; dated 15 : 8 : 1678; signed by Hilliard Veren,* for the court; and served by Robert Lord,* marshal of Salem. Bond of Samll. (his mark) Moses and Ben. (his mark) Webster.

"M^r John Devorix if you please to accomodate Benj. Webster with a p^rcell Lether fitt for his use to the value of five pounds I will pay you for it in Goods when you please to Call for it but take his receipt for what he has."

"Salem: 27 March 1678.

Y^e freind Jn^o. Higginson.*

On the reverse: Receipt signed by Benjamin (his mark) Webster. Jno. (his mark) Devorixes receipt, dated 9 : 2 : 1678, to Jno. Higginson for goods. Sworn, 12 : 9 : 1678, in court.

Jno. Higginson's bill of cost, 1li. 2s. 4d.

Warrant, dated 7 : 9 : 1678, for the appearance of Edmond Bridges, for

*Autograph.

swearing, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of land and shop of Bridges.

Warrant, dated 2 : 9 : 1678, for Edmond Bridges' appearance before the Salem commissioners, signed by Edmund Batter,* commissioner, and served by William Curtis,* constable of Salem.

Summons, dated 11 : 9 : 1678, to Edward Flint, Thomas Robbins, John Cook and Joseph Gatchell, as witnesses in the foregoing case, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal.

Summons, dated 12 : 11 : 1678, to Mathew Barton, as a witness in Bridge's case, signed by Hilliard Veren,* cleric.

Joseph Gatchell, aged about twenty-six years, testified that he heard Edmond Bridges, sr., affirm in open court when he appeared against Richard Croade that it had been a common thing at Croade's house for these seven years to give entertainment to Indians and sell liquor to them, to which all the neighbors could testify. Also Edward Bridges said that he had no friend in Salem but the honored Court and that two Indians came to his house on a Saturday night drunk from Croad's house and he arose from his bed to beat them away. Sworn, 1 : 8 : 1678, before Edmund Batter,* commissioner.

Hugh Joanes, aged about forty years, testified that he heard Edmund Bridges, sr., say to Mrs. Croade in her house since she kept ordinary, etc. Sworn, 2 : 7 : 1678, before Edm. Batter,* commissioner.

Hugh Joanes, aged about forty years, deposed that he was in the house of Mrs. Croade when Edmond Bridges was sitting by the fire near her, and deponent leaned his hand upon the back part of the chair in which Bridges sat, taking notice of his actions toward her. John Procter, sitting by the same fire, said to Bridges, "I do not doubt but thou wilt be ye First that will doe this woman a damage if ever thou hast opportunity." Bridges replied, "Noe I wish I may perish If ever I doe her a mouth full of wrong" and he swore by his maker and wished the ground might open and swallow him up alive, etc. Sworn, 2 : 7 : 1678, before Edm. Batter,* commissioner.

Joseph Gatchell, aged about twenty-six years, testified that being in Mr. King's entry at the court adjournment when Edmond Bridges had appeared against Richard Croade, Mrs. Croade said "Neighbor Bridges I am glad to see you well, but I should be glad to see you better; you have forgott since you wisht God might confound your body & Soule if ever you went about to do me wrong." Bridges replied, lifting up his hands and eyes toward heaven, "Ay, I have forgott it, for I never spake y^e words." Sworn, 1 : 8 : 1678, before Edmund Batter,* commissioner.

Joseph Gatchell, aged about twenty-six years, testified that being at Edmond Bridges' house to confer with him about a bill he had upon Edward Richards of Lynn, said Bridges advised deponent to try the case before Major Hathorne and he would plead the case for him for 5s., saying "my life for y^e Cause, drumm Major, I will recover y^e money for I never loose a Case before Major Hathorne." Deponent said that for his trouble he would like to be at the expense of a pint of liquor, and Bridges said to send to Croad's "for Ile never leaue sending thither till I rout them for theire ordinary keeping my life for ye cause sayes Bridges. Come M^r Blano drinke to my Lady sayes y^e said Bridges." Sworn, 1 : 8 : 1678, before Edmund Batter,* commissioner.

John Phelps, aged about thirty-six years, testified. Sworn, 25 : 7 : 1678, before Edmund Batter,* commissioner.

John Cook, aged about thirty years, testified. Sworn, 2 : 7 : 1678, before Edm. Batter,* commissioner. Peeter Cloyes testified.

Charles Phillips, aged about fifty years, testified that he heard Bridges say in the latter's house that he wished that he might never enter into the kingdom of heaven if he ever did Mrs. Croade any harm. Sworn, 12 : 6 : 1678, before Edmund Batter,* commissioner.

Edward Flint and Thomas Robbins deposed that they never knew that

*Autograph.

Elias Pickworth v. Richard Thistle. Nonsuited.*

*Writ: Elias Pickworth v. Richard Thistle; for not teaching him the trade of a cooper as agreed, on May 9, 1672, by covenant; dated Oct. 28, 1678; signed by Thos. Fiske,† for the court; and served by John Sampson,† constable of Beverly by attachment of the dwelling house of defendant.

Croade or any of his family sold drink to Indians. Sworn, 12 : 9 : 1678, in commissioners' court.

John Procter, aged about forty-six years, deposed. Sworn, 12 : 6 : 1678. before Edmond Batter,† commissioner.

At a Commissioners' Court, Oct. 2, 1678, Joseph Gatchell v. Sarah Haven, for debt, judgment respitted until the court to be held Nov. 5, when court gave judgment for defendant.

Jeremiah Rogers v. John Bulock; for replevin of a mare; judgment for defendant.

Eleazer Keizer, for violence toward William Pinson, was fined.

Leift. John Higginson v. Benjamin Webster; debt; judgment respitted.

Edmund Bridges was fined for contempt.

Mr. John Hegson, Dr., for a Paer of Pla shooes for Paul Mansfeld, 6s., for his wife's shoes, 6s., Damaros a paer, 6s.; 2 Paer of cheldn shoes, 6s. 6d.; menden, 2s; menden, 1s. 6d.; for youerselfe for menden child shoo, 3d.; for menden your mads shooes, 6d.; 5 Paer of Plan shooes, 1li. 5s.; 2 Paer of woman shooes, 12s.; 2 Paer of mens shooes, 14s.; total, 3li. 19s.

Writ of execution, dated 28 : 9 : 1678, against Joseph Gatchell to satisfy judgment granted Sarah Haven, signed by Hilliard Veren,† cleric, and served by Henry Skerry,† marshal of Salem, who sent the money to said Sarah by her messenger, John Tarbox and John or Thomas Nowell of Lin.

Warrant, dated 2 : 9 : 1678, for the appearance of Elieaser Keiser, signed by Edm. Batter,† commissioner.

Summons, dated 2 : 9 : 1678, to Benjamin Keaser, Moses Vowden and John Mansfeild, as witnesses in the action between William Pinson and Elizer Keaser, signed by Hilliard Veren.†

Benjamin Keyser, aged about twenty years, deposed that when Wm. Pinson came into his father's house, his brother Eleazar Keyser shut the door and quarrelled with him and would not let him out. Sworn, 2 : 9 : 1678, before Edm. Batter,† commissioner.

William Pinson's bill of cost, 10s.

Due to Mrs. Mold from William Pencens,† for three sear cloaths and a pott of ointment, 8s., for use on a hurt received by Eliezar Kezar.

Marah Tarboxe testified that sometime last September being at his father Haven's house, when Joseph Gatchil and Sarah Haven were reckoning for work done by Gatchil in his trade and for what he had laid out in finishing her clothes, Gatchil said if she would pay him 2s. in money or mutton, the account would be settled. Rich. Haven, sr., of Lin testified to the same. Susanah Haven, aged about fifty-six years, testified to the same. Sworn, Nov. 5, 1678, before Bartho. Gedney,† commissioner.

John Mansfield, aged twenty years, and Moses Vouden, aged about thirty years, deposed that they heard a great noise in Mr. Keyser's house and going in heard Keyser say to Wm. Pinson that if he did not pay him two shillings he would have his skin, etc. Sworn, 4 : 9 : 1678, before Edm. Batter,† commissioner.

William Pinson, aged thirty years, deposed that Keyser struck him a violent blow on the breast and madly tearing him by the coat said "I will have your heart Blood you Dogg," etc. Sworn, 2 : 9 : 1678, before Edm. Batter,† commissioner.

†Autograph.

Benjamin Marshall v. Capt. John Whiple and Ensign Tho. Burnam. Verdict for defendant.*

*Writ: Benjemin Marshall v. Capt. John Whipple and Ensign Thomas Burnam of Ipswich; for, under pretence of power from the town of Ipswich, making a line and bound in his land, by which about fifty acres of land is cut off, which land is part of a farm formerly John Cogswell's, deceased, commonly called the great pasture; dated Nov. 18, 1678; signed by Thos. Fisk,† for the court; and served by Robert Lord,† marshal of Ipswich, by attachment of land of Ensign Tho. Burnam.

At a meeting of the selectmen Sept. 19, 1678, "The select men understanding that the Line between the comon and the grat pastur was run by the mutuall agrement of the owner and som sent by the select men and settled by the Consent of both parties doe therfor null what was done the 4th of January 1677 by m^r wade and the rest with him." Copy made by Robert Lord,† cleric.

Copy of indenture, dated Jan. 16, 1650, between Daniell Denison, Robert Paine, William Paine and William Bartholmew all of Ipswich on one part, and John Cogswell, jr., of Ipswich, on the other part, in which the former leased to the latter all land in Ipswich commonly called the neck beyond Chebacco river, bounded by the said river on one side, and by two great creeks on the other two sides, and by the heads of the said creeks, as it was formerly bounded, upon a straight line from either, extending within two rods of the line that divides Ipswich from Gloucester bounds, which land was granted to said Denison and others by the town of Ipswich for the use of a free school in Ipswich forever; the lease was for a thousand years, with annual payment of 14li. in butter, cheese, beef, pork, corn, and Cogswell was to be allowed for any town rates, but not for county rates or ministry maintenance, etc. Wit: Joseph Paine, Francis French, Joseph Noyes and John Paine. Copy made by Robert Lord,† cleric.

Copy of lease, dated Dec. 6, 1673, given by Samuell Cogswell of Ipswich to Samuell Pippen of Ipswich, husbandman, of a farm in Ipswich of 300 acres on the south side of Chebacco river, for ten years, paying the first two years, 42s. yearly, and the last six years, 10li. annually, in pork, beef, butter, cheese, wheat malt or Indian corn; said Pippen was given the right to cut timber for finishing the house and building a barn and other housing for cattle, also for firewood and fencing, and what land he cleared for corn, he could have the use of the wood, also he should be allowed for the buildings erected at the end of the lease. Wit: James Chute and Thomas

†Autograph.

Dennes. Recorded, Jan. 30, 1677, among the records of lands for Essex, book 4, p. 125, by Robert Lord,* recorder. On Jan. 25, 1674, Samuella Cogswell assigned this lease to his brother John Cogswell. Wit: Joseph Lee and Samuella Graves. On Dec. 6, 1677, John Cogswell of Ipswich assigned this lease to Benjamin Marshall until the end of Samuella Pipins' term. Wit: Philip Fowler and William Goodhue, jr. Copy made by Hilliard Veren,* cleric.

Copy of lease, dated Jan. 5, 1677, given by John Cogswell of Ipswich, administrator of the estate of his brother Samuella Cogswell, late of Ipswich, to Benjamin Marshall of Ipswich, shipwright, all the land which said Samuella formerly let to Samuella Pipin, except that parcel sold by Samuella to Abraham Perkins at the Island beyond Chebacco river, it being part of the farm his father had by lease from the town of Ipswich, "bounded by Chebacco river on the northwest upon John Cogswells Land on the northeast from william thomsons corner being a Crotched maple tree marked on two sides and soe runing up to gloster line the next marked tree being a hemlock and thre more white oakes all marked with three notches on either side one a straight linne from tree to tree gloster line on the east as it is bounded in the grand lease coman lands of Ipswich towards the south william androus land towards the west," and paying 46s. 8d. annually in butter, cheese, beef and corn, etc. Wit: William Goodhue, jr. and Philep Fowler. Recorded Mar. 5, in the record of lands for Essex, book 4, p. 136 by Robert Lord,* recorder.

John Giddins and Samuella Giddins testified that they were desired to go over Chebacco river to that farm commonly called the new pasture to measure the width between the head of Whitredg's creek and the head of John Burnam, sr.'s creek and to measure the breadth upon Gloster line from John Burnam, sr.'s corner bound tree to a maple tree near Gloster line which was marked with a stone at the root in a small swamp. They found the first 86 rods longer than the second, which Corporal Andrews, Benjamin Marshall and William Andrews said Insign Burnam and Capt. Whiple marked. Sworn, Nov. 22, 1678, before Daniel Denison.*

Moses Pengre, sr., deposed concerning the measurements. Sworn, Nov. 25, 1678, before Daniel Denison.*

John Burnum, sr., deposed. Sworn, Nov. 25, 1678, before Daniel Denison.*

Samuella Peppen and William Andrews deposed that they were upon this land about two years and saw a great many pine trees felled and John Burnum, jr., said he felled two of them and his father Ensign Burnam the rest, etc. Sworn in court.

* Autograph.



THE COGSWELL FARM

William Andrews deposed that he went along with Ensign Burnum, Dekon Pingrin and Goodman Roper when they laid out John and Samuell Cogswell's farm and deponent's father went with them, etc. Sworn in court.

Robert Cross and Thomas Varny testified that about five or six years ago they were at the running of the line and it was agreed that John Cogswell should have the lower part of the farm toward Chebacco bridge and Samuell Cogswell the upper part, against Ipswich common, etc. Sworn by Varney on Nov. 22 and Cross on Nov. 25, 1678, before Daniel Denison.*

Jno. Brewer, aged fifty-two years, testified. Sworn, Nov. 24, 1678, before Jo. Woodbridge,* associate.

John Andrews, sr., testified as to the selectmen laying out the land and marking the bounds. Sworn in court.

Daniell Epps, aged about fifty-four years, deposed. Sworn Nov. 25, 1678, before Daniel Denison.*

John Cogswell, aged twenty-seven years, deposed. Sworn, Nov. 23, 1678, before Daniel Denison.*

Margaret Cogswell, aged twenty-five years, deposed that she being in company with her husband, etc. Sworn, Nov. 23, 1678, before Daniel Denison.*

Robert Lord, sr., aged seventy-five years, deposed. Sworn, Nov. 25, 1678, before Daniel Denison.*

Moses Pengry, sr., deposed concerning the line. Sworn, Nov. 22, 1678, before Daniel Denison.*

Jonathan Wade* and Thomas Wade* deposed that when the suit was withdrawn in Sept., last, between themselves and Benjamin Marshall, they advised William Andrews to drop the matter but he said he would spend all he had before he would let the case go. Sworn, Nov. 25, 1678, before Jo. Woodbridge,* associate.

John Burnum, aged sixty-three years, deposed that he was with Capt. Whipple, etc. Sworn in court.

John Andrews, sr. and William Andrews deposed. Sworn in court.

William Goodhew, jr., deposed concerning going with Goodman Lovewell to run the line, etc. Sworn in court.

Simon Stace, aged forty-one years, deposed. Sworn, Nov. 25, 1678, before Jo. Woodbridge,* associate.

Thomas Wade, aged about twenty-eight years, deposed concerning measuring the bounds. Sworn, Nov. 25, 1678, before Jo. Woodbridge,* associate.

John Burnam, aged about thirty years, testified that his father Ensign Burnam and his uncle John Burnam, etc. Sworn Nov. 22, 1678, before Daniel Denison.*

Samuell Peppen, aged about thirty-five years, deposed. Sworn, June 19, 1678, before Daniel Denison.*

* Autograph.

William Haines v. Henry Williams. Nonsuited.*

Thomas Hore v. James Pitman. For shooting Eliza, wife of said Hoare with a gun. Verdict for plaintiff. Defendant was to pay the doctor for the full cure.†

Bill of cost of Thomas Burnum and John Whipple, 2li. 13s. 8d.

At a meeting of the selectmen Mar. 9, 1671-2, "ordered that Decon Pengry, Walter Roper and Sergeant Burnam shall sett the bounds of m^r John Cogswell his farme betweene that farme & the common and Gloster line according to lease." Copy from Ipswich town book, May 16, 1678, by Robert Lord,† cleric.

*Writ: William Haines, school master in Linne v. Henry Williams; debt for summering and wintering a bull of his about five years; dated Oct. 14, 1678; signed by Hilliard Veren,† for the court; and served by Thomas Loughton,† constable of Lyn.

Henry Williams' bill of cost, 4s.

†Writ, dated Nov. 19, 1678, signed by Moses Mavericke,† for the court, and served by William Wood,† constable of Marblehead.

Thomas Hore's bill of cost, 1li. 12s. 3d.

Petition, dated Marblehead, Nov. 25, 1678, of Samll. Ward,† Lieut., and Richard Norman,† Ensign: "about six weks agoe upon a traïning day we tooke up a vacant plase about our wach hous for our Exercies which we guardid round with musketers and Cleared the ground we ordered all parsons to kep of and Liekwies ordered all our sentenells to keep out all peopl and let non in without order at which tiem we had an other partie that waer to alarum us in which tiem thaer Caem a woman on Elisabeth hoar and presd upon on of the sentenills who Comandid harr to stand of but she refusing as we aer informed was fierd at; what hurt she Resaieved we umblie Con-seaive she might have avoieded if she had pleasd but by harr own relation she hath formerlie oferd the sentinells abus in the saem maner."

Edward Benit, aged twenty-three years, and Petter Kery, aged thirty-four years, deposed that at the last training day at Marvelhead in the time of skirmishing, Jams Pitman was set as sentinel and when Elisabeth Hore passed at a considerable distance, he went out of his place and discharged his gun so near her that the fire burnt her clothes and flesh and the force struck her down to the ground. Sworn in court.

Thomas Tener, aged forty years, deposed that he took Elisabeth up from the ground, etc. Sworn in court.

† Autograph.

Michaell Bowden v. Capt. James Smith. Verdict for plaintiff. Appealed to the next Court of Assistants. James Smith bound, with Samuell Ebborne and John Baker as sureties.*

James Dennis, aged thirty-six years, and Nathaniell Walton, aged about forty years, deposed that the sentinels were placed three rods apart, and Elisabeth tried to get in between two of them, etc. Sworn in court.

Receipt of Rich. Knott,† chyr., to James Pittman, dated Nov. 25, 1678, for curing the wound.

*Writ: Michall Bouddon v. James Smith; for not paying a debt due from Mary, wife of said James Smith; dated 19 : 9 : 1678; signed by Ephraim Turnor,† for the court; and served by Joseph Webb,† marshal of Suffolk. Bond of James Smith.†

Mary Smith,† on 9 : 11 : 1676, acknowledged the debt of 39li. 2s. Wit: Samuel (his mark) Aborn and Samuel Nurs.† Samuel Nurs† made oath to the signature.

Micall Bouden's bill of cost, 1li. 8s.

Frances Nors, aged about fifty-eight years, and Edmund Bridges, aged about forty-two years, deposed that a month since Capt. Smith told them that he had made his wife his attorney in his absence, whereupon his tenant Mikell Bouden, etc. Sworn in court.

Samuell Sendall, aged about sixty years, testified that a month since he was asked by James Smith to go with him to the latter's farm at Marblehead on which one Michaell Bowden was living, and met there Bowden, his father-in-law, his uncle Bridges and one of his brothers-in-law, etc. Sworn, Nov. 25, 1678, before Edward Tyng,† assistant.

Mary Smith, aged forty-eight years, Ann Smith, aged nineteen years and Sarah Smith, aged seventeen years, testified that two years ago, Machell Bowden, Francis Nurse and his son came to Boston to the house where James Smith now lives, and Mary Smith signed a paper which she did not understand, being persuaded against her will. Samuel Aborn her brother-in-law, was then in the house on the bed and they called him to witness it. Mary could not sleep pondering what she had done and rose before day and called the men up saying that they had made no account of the produce of the farm, carting with the team nor increase of creatures. Nurse replied, "I protest Michell the woman speaks nothing but reason and you must Recktify things." But Bowden refused to give up the paper. Later Bowden went to Boston to have another accounting but Mary refused to do anything until

. †Autograph.

Ephraim Fellowes, Joseph Fellowes and Samuel Fellowes, administrators of the estate of William Fellowes, and Isaac Fellowes for himself v. Nathaniell Jacob, executor of the estate of Richard Jacob. Review. Verdict for plaintiff. Appealed to the next Court of Assistants. Nathaniell Jacob bound, with Tho. Knoulton and Tho. Jacobs as sureties.*

her husband came home. Bowden said he wanted money to finish the barn he was building. She bade him keep the produce of the farm and sell her husband's horse, etc. Sworn Nov. 25, 1678, before Edward Tyng,† assistant.

*Writ, dated Nov. 20, 1678, signed by Robert Lord,† for the court, and served by Tho. Lovell,† deputy for Robert Lord,† marshal of Ipswich.

Nathaniel Jacob's bill of cost, 2li. 5s. 1d.

Ephraim Fellowes' as attorney, bill of cost, 2li. 4s. 6d.

William Dorge, sr. and Joseph Ayers, deposed that being desired by Ephraim Fellowes to appraise a parcel of corn which was destroyed by swine, said it was at least twenty bushels of Indian corn. Sworn, 23 : 9 : 1678, before Daniel Denison.†

Joseph Jacob, aged about twenty-two years, testified that when Corporal Andrews came to deliver the farm to his father, he said that there was a parcel of land which he had forgotten to tell them of, near Walker's swamp. Sworn, Nov. 25, 1678, before Daniel Denison.†

Thomas Lovell, deposed that he measured the land and there were three acres and thirteen rods, and Samuel Ayers, jr. was present. Sworn, 23 : 9 : 1678, before Daniel Denison.†

Thoms. Knowlton, aged about thirty-six years, and Willm. Knowlton, aged thirty-four years, testified. Sworn in court.

John Appleton, sr., of Ipswich, aged about fifty-seven years, deposed that his brother Jacob, etc. Sworn, Nov. 25, 1678, before Daniel Denison.†

William Knowlton deposed that being a servant of Sergeant Richard Jacob, etc. Sworn in court.

Thomas Jacob deposed that his father ordered Master John Apleton to pay Andrews, etc. Sworn in court.

Copy of deed, dated Apr. 4, 1663, given by Sarah Andrews, widow of Jno. Andrews of Lynne, deceased, to Richd. Jacob of Ipswich, for 50s., two parcels of land formerly belonging to her husband but now in occupation of Richd. Jacob; the first parcel of four acres lay between Mile brook and Mr. Saltonstall's forty acres, the other one acre on the other side of the farm bounded by Walker's swamp, Mile brook and land of Goodman Fellowes. Wit: Thomas Andrews and Daniel Epps.

† Autograph.

Abraham Perkins v. Theoder Atkenson, sr. Verdict for plaintiff. Tho. Rumery, attorney to defendant, appealed to the next Court of Assistants, and was bound with Capt. Price as surety.*

Thomas Jacob, aged about thirty-eight years, deposed. Sworn in court.

Letter of attorney, dated Nov. 23, 1678, given by Isack Fellows,† Samuëll Fellows† and Joseph Fellows† to Ephraim Fellows, their brother. Wit: Robert Lord,‡ marshal and Daniell Wikam.‡ Sworn in court.

John Pengelly, aged about twenty-eight years, testified. Sworn, Oct. 28, 1678, before Daniel Denison.‡

John Pengelly, aged about twenty-eight years, deposed that his master Jacob repaired the fence, etc. Sworn, Oct. 28, 1678, before Daniel Denison.‡

Daniell Weickum and Nathaniell Healy deposed that being in company with Nathaniell Jacobs at the Deputy Governor's house, etc. Sworn, by Healy, Nov. 23, 1678, before Daniel Denison,‡ and by Wicom in court.

William Dillo, aged about forty-five years, deposed that being a servant to Corporall John Andrews, he received twenty bushels of malt at Mr. Appelton's for the acre of land. Also that he heard his Master Andrews tell William Fellowes at Mr. Corwin's shop at Salem, etc. Sworn, 20 : 7 : 1678, before William Cowdry† and John Dammon,‡ commissioners of Redding.

Thomas Ayers testified. Sworn, Nov. 25, 1678, before Daniel Denison.‡

John Pengelly, aged about twenty-eight years, deposed that the land was fenced in when he came into the country about eleven years ago, etc. Sworn, Oct. 28, 1678, before Daniel Denison.‡

*Writ: Abraham Perkins v. Mr. Theoder Adkisson, sr., for denying that he had given a letter of attorney; dated Sept. 26, 1678; signed by Robert Lord,‡ for the court; and served by Danill Wicom,‡ deputy for Robert Lord,‡ marshal of Ipswich. Bond of Theoder Atkinson† of Boston, with John Atkinson,‡ as surety. Wit: Tho. Woodbridge† and Edmond Bridges.‡

Abraham Perkins' bills of cost, 2li. 6s. 8d., and 12li. 4s. 10d.

Bill of cost of Tho. Rumsey, attorney to Mr. Theoder Atkinson, 8s.

Daniell Wycom and Robert Lord, jr., deposed that Atkinson told Perkins if he could prove that he gave a letter of attorney to his son, he would pay the debt. Sworn in court.

† Autograph and seal.

‡ Autograph.

William Longfellow v. John Pickard and Ezekiel Northend, as inhabitants of the town of Rowley and as lot layers or men appointed to divide or lay out land in said town in behalf of Rowley. Special verdict. If Henry Sewall, grantor of the deed to Longfellow, were a lawful heir to Henry Seawall of Rowley, deceased, they found for plaintiffs, nine gates with all privileges; if otherwise, for defendant. Court gave judgment for plaintiff. Appealed to the next Court of Assistants. Defendants bound, with Mr. Nehemiah Juett as surety.*

Copy of letter of attorney made by Robert Lord,† cler.

Letter of attorney, dated Nov. 25, 1678, given by Theoder Atkinson‡ of Boston to Thomas Rumrey of Boston, gentleman. Wit: Jonathan Howard,† notary public.

*Writ: William Longfellow v. John Pickard, sr., and Ezekiel Northend, lot layers of Rowley; for not laying out to him his proportion of gate land that belonged to the right of Mr. Henry Sewall, purchased by him of Mr. Edward Carlton, and by the heir of said Sewall conveyed to Longfellow; dated Nov. 19, 1678; signed by Robert Lord,† for the court; and served by Robert Lord,† marshal of Salem, by attachment of the house and barn of said Northend, and land of said Pickard.

Bill of cost of defendants, 11l. 10s.

George White deposed that he was at the house of Ezekiel Northend of Rowley when Longfellow demanded the gate land of nine other gates, and helped measure two bushels of good old Indian corn which Longfellow left as pay for the laying out, etc. Sworn, Nov. 25, 1678, before Daniel Denison.† Robert Lord, marshal, testified to the same. Sworn in court.

Copy of the rates of old Mr. Shuell who lived and died at Rowley, taken from the ministry book by William Tenny,† keeper of the book: 9 mo. 1649, 14s.; 10 : 9 : 1650, 11s. 9d.; 3 mo. 1651, 10s. 6d.; 10 : 9 : 1651, 10s. 4d.; 1 : 3 : 1652, 9s. 3d.; 10 : 9 : 1652, 10s.; 3 mo. 1653, 8s.; 10 : 9 : 1653, 5s. 5d.; 1 : 3 : 1654, 4s. 7d.; 16 : 9 : 1654, 4s. 4d.; 17 : 3 : 1655, 5s. 4d.; 8 : 10 : 1655, 11s.; 5 : 3 : 1656, 6s.; 24 : 9 : 1656, 4s. 4d. for his house; 26 : 3 : 1657, 4s. for his house.

Certificate signed by Joseph Jewett, Mathew Boyes and John Tod that there were nine gates appraised in Mr. Henry Sewall's inventory filed Mar. 25, 1656. Copy made by Robert Lord,† cleric.

Copy of petition of Mr. Henery Sewall, son of Mr. Henery Sewall, presented to the town meeting at Rowley, Jan. 8, asking for a confirmation of his gate rights, etc. Copy made by John Johnson.†

† Autograph.

‡ Autograph and seal.

John Bates and Martha, his wife v. Giles Coree and Mary, his wife. Defamation. Verdict for plaintiff.*

"Memo that Henery Short entered to the estate 27 March 1656

"M^d that Tho. Lamb and Dan Wibham was present when goodman pickard desiered 6 weekes tim I would have granted it provided at ye end of six weekes they would lay out his Land."

Receipt, dated Apr. 8, 1658, given by Moses Browne for 40li. from Thomas Stanton, by order of Mathew Boyes, in payment of land sold to Anthony Crossby of Rowly by Henry Sewall of Badsly in old England. Wit: Hugh Drury and James Stanton. Copy made by Hilliard Veren.†

Receipt, dated Apr. 21, 1657, given by Moses Browne to Mr. Anthony Crosbee for 20li. by order of Mr. Henry Sewall of Badsley. Copy made by Hilliard Veren,† cleric.

Deed, without date, given by Edward Carlton† of Rowley to Henery Sewall, sr., of Newbery, dwelling house, barn and other housen with three acres of land in Rowley; also nine gates in Rowley which Mr. Henery Sewall had liberty to stock with four score sheep or other cattle proportionately. Six of the nine gates were in the walk and three in the ox pasture.

"Brother Short Since Y^e writting of my Letter to you M^r Crosby & I are agreed upon Articles Conscirning my House & Land at Rowly wch my father did purchas of M^r Edward Carlton upon y^e performance of wch I would intreat you to give him possession there of & of every part thireof also to Lett him receiue y^e rent dew since my Fathers decease & this shal- be your full discharge Hen: Sewall.†

"Baddesly 15 Aprill 1657. Anth. Crosbe.†

"In y^e meane time If It be not Let you may Lett him have free egress & regress for y^e Repairing of it if he can agree with y^e tenent."

Deed, dated Jan. 1, 1677, given by Henry Sewall† of Newbery to William Longfellow of Newbery, all his interests in Rowley, with all the gates purchased by Mr. Henery Sewall, sr., deceased, in Rowley, with privileges upon the common of Rowley. Wit: Stephen Sewall† and Jane Sewall.† Acknowledged, Sept. 30, 1678, before Jo. Woodbridge,† commissioner. Recorded, Oct. 3, 1678, in the records of lands for Essex at Ipswich, book 4, page 192, by Robert Lord,† recorder.

Copy of record of the division of fences in Rowley, according to town order, 1650, made, Nov. 25, 1678, by Philip Nellson,† recorder.

*Writ, dated 19 : 9 : 1678, signed by Hilliard Veren,† for the court, and served by John Williams,† deputy for Henry

† Autograph.

† Autograph and seal.

Capt. James Oliver and Thomas Dexter, jr., administrators of the estate of Tho. Dexter, sr. v. the town of Lin, or Capt. Richard Walker, Thomas Loughton, Wm. Bassett, Andrew Mansfield, Nathaniell Kertland, John Burrell and Ralph King, selectmen. Verdict for defendants. The inventory to be allowed by virtue of an order of the General Court. Leift. Waye, attorney to plaintiff, appealed to the next Court of Assistants, and was bound, with Mr. Jonathan Ting and Joseph Webb as sureties.*

Skerry,† marshal of Salem, by attachment of house and land of defendant.

John Gloyd, aged about twenty-five years, and Mary his wife, deposed that they were at Coree's house sometime in June and heard Mary, wife of Coree say that the wife of John Bates had several times milked Coree's cows as they came out of the woods past Bates' door. Sworn, 26 : 9 : 1678, before Edm. Batter,† commissioner in Salem.

Mary Parker, aged twenty-five years, testified that about two months ago she heard Bates' wife say that she milked some of her mother Cory's cows. Sworn in court.

*Writ, in an action of review of a judgment granted against said Dexter, sr., at the Court of Assistants in Boston, Sept. 1, 1657, which was an appeal from the Salem court, 30 : 4 : 1657, concerning a neck of land near the town of Linn, known as Nahant; dated Boston, Nov. 20, 1678; signed by Ephraim Turnor,† for the court; and served by Joseph Webb,† marshal of Suffolk, by attachment of common land of Lin near the meeting house, and notifying Mr. Thomas Laiton and Mr. Ralph King, selectmen.

Copy of writ: Thomas Dexter, sr. v. Thomas Laughton, George Keaser, Robert Coates and Joseph Armitage, for the town of Lynn; trespass at Nahant, by keeping cattle, cutting wood, giving out lots for building houses and planting; dated 24 : 4 : 1657; signed by Thomas Stace, for the court; and no return made. Edward Mitchelson, marshal of Suffolk made Richard Wayte, his deputy. Copy made by Edwd. Rawson,† secretary.

Reasons of appeal, dated Aug. 26, 1657, of Farmer Dexter, delivered to Daniel Denison.† Copy made by Edw. Rawson,† secretary.

Copy of record of this action at the Court of Assistants, with judgment for defendant. Copy made by Edw. Rawson,† secretary.

Copy of record of Salem court, 30 : 4 : 1657, with verdict for defendant. Copy made by Edw. Rawson,† secretary.

†Autograph.

Copy of letter of attorney, dated Sept., 1677, given by James Oliver of Boston, merchant, administrator of the estate of Thomas Dexter, late of Boston, and in behalf of Thomas Dexter, mariner, to Leift. Richard Way of Boston. Wit: Thomas Moore and Thomas Kemble. Acknowledged, 22 : 7 : 1677, before Thomas Clarke,* assistant. Copy made by Robert Lord,* cleric.

Certificate of administration upon the estate of Thomas Dexter, sr., late of Boston, dated Feb. 19, 1676, given by Hon. John Leverett, Esq. Govr. and Edward Tyng, Esq., assistant, to Capt. James Oliver, his son-in-law and Thomas Dexter, jr., his grandson, signed by Isa. Addington,* cler.

Bill of cost of the town of Lyn, 4li. 11s. 6d.

At a General Court held at Boston Oct. 2, 1678, it was voted that the entrance money be returned to Capt. James Oliver in his action aganst the town of Lynne. Copy made by Edward Rawson,* secretary.

Copy of General Court records, 13 : 12 : 1638, signed by Nathaniel Turner, William Ballard, Richard Walker and John Woodbery, and copy made by Edw. Rawson,* secretary: "It is ordered that the bounds betwixt Salem and Lynn shall at the Clyffe by the sea, where the water Runns as the way lyeth from lynn to Marble head & Runns upon a streight line to the long pond by the old path that Goeth to lynn at the south end thereof next to lynne; & the pond to be in Salem bounds and from that pond to runn upon a streight lyne to the Island in Mr Humbreys pond and from that Island to runn upon a streight line to sixe great pine trees marked called by those sixe men that layd out the bounds the sixe mens bounds and from those trees to runn upon a streight line unto another little pine tree marked by the side of a litle hill beyond the trees and to runn upon the same line so farr as our bounds shall reach into the country."

Copy of General Court records, May 18, 1642, adjourned to June 14, 1642, signed by Willi. Hathorne and Edward Tomlins, made by Edward Rawson,* secretary: "Whereas William Hathorne of Salem & Edward Tomlins of lynn were chosen by the Gennerall Court to lay out the length of the bounds of the Towne of lynne according to the Courts order of six miles from the meeting house which accordingly hath beene performed the day & yeare above written which wee signify under our hands to extend from Charles Toune bounds to the south of the great pond at lynn village and from thence to the great swampe adjoyning unto the great pond, and so to Runne from thence northward to the North River and so to Salem bounds these being the nearest marks by our measure wee finde to state the bounds."

* Autograph.

At a criminal court held at Boston, 13 : 1 : —, "Lynne was Granted sixe miles into the Country & m^r Hathorne Lef-tent Davenport to view & Informe how the land beyond lyeth whither it may be fit for another Plantation or no." Copy made by Edward Rawson,* secretary.

At a General Court, 12 : 1 : 1636: "It is agreed that m^r Humphrey's ground shall begin at y^e Cliffe in y^e way to Marblehead, which is the bound betwixt Salem and Lynne, & so along the lines between the s^d Townes, to the Rocks one mile by Estimation to a great Red Oake marked, from w^{ch} the said marked tree all under & over these Rocks, upon a streight line to the running brooke, by Thomas Smith's house, all the which said ground we allow him for his owne & so from Thomas Smith's to the sea; in case the ground appears to be M^r Humphrey's upon which Thomas Smiths & William Witters houses stands with the Ground which they have broken up by their houses, by y^e joint agreement of Wm. Traske, Natha. Turner, Rich. Wright, Abra. Palmer." Copy made by Edw. Rawson,* secretary.

Nathaniell Bacor, aged about sixty-six years, testified that in 1632 or 1633, he met with an Indian called Blackwill who had on a stuff suit of clothes that were pinked, and he said he had them of farmer Thomas Dexter, sr., who then lived at Saugus, now called Linn, giving him Nahaunt for them. Later deponent at Dexter's saw the latter pay Sagamore George some corn in part pay for Nahaunt, and he then fenced it in, and it was always considered the property of Dexter. Also Salem men for two or three years hired pasturage of said Dexter for horses and cattle. Sworn, Sept. 21, 1677, before Edward Tyng,* assistant.

Gorge Keser, sr., aged about sixty-five or sixty-six years, deposed that being an inhabitant of Line when Mr. Humphery dwelt there, at a town meeting about thirty-five years ago, Mr. Humphrey moved that if the proprietors of Nahant would give up their rights to Line, he would give up his rights and Dexter agreed. Sworn in court.

Capt. Richard Walker, aged about sixty-five years, testified that being one of the first inhabitants of Linn, alias Saugus, "upon our first settling there, wee Couenanted agreed and bought of an Indian called Black william (whoe was owned by the Sachem and all y^e Indians to be the proprietor and owner of that place called nahant) which place wee purchased of him and haue had the possession and use of the same for many years." Sworn, 22 : 7 : 1677, before Wm. Hathorne,* assistant.

Richard Church of Hingham, aged about forty-eight years, deposed that he heard George, the Indian, say to farmer Dexter

* Autograph.

that the latter bought Nahaunt of his cousin, but all the pay was not given to his cousin, for George being the next heir, received the remainder of the pay. This happened about a year and a half ago. Sworn, Apr. 27, 1657, before Joshua Hubbard.*

Edward Holyoke deposed that about 1642 or 1643, Mr. Humfery and Thomas Dexter, sr., desired him to join them in a suit about Nahant on account of his proprietorship, he having purchased Capt. Turner's right in Saugus alias Lyn, but he dared not, because divers inhabitants declared that Nahant belonged in common to the plantation of Lyn, and contending for it "would have beene as for Naboth's vineyard." Sworn, June 27, 1657, before Daniel Denison.*

Jonathan Negus, aged about fifty-six years, and John Williams, aged about twenty-two years, deposed that Thomas Dexter and Joseph Armitage meeting at deponent's house, Armitage told Dexter that which ever side he took in the suit, he would cast the case. Sworn, 12 : 4 : 1657, before Richard Parker, commissioner. Copy made by Edward Rawson,* secretary.

Clement Couldam, aged about fifty-five years, deposed that about thirty-four years since, he lived with old Thomas Dexter and the latter coming from the town meeting told Mr. Sharp of Sallem, in his hearing, that he had given up his right in Nahant to Line and the town had given him a considerable tract of land on the back side of his farm which would be of more advantage to him. Sworn in court.

Henery Vaine of Boston, aged about seventy-two years, testified that Mr. Sadler, Mr. Otely, Goodman Armitage, Michael Lambert, Francis Linsey, Goodman Riches, all of Lynn, all had told him that Dexter owned Nahant. Riches was working about a great elm about two years before when he told him, and Mr. Keaser said the same thing in Michael Lambert's house, before said Keaser and his wife, Christopher Linsey and deponent, and they also said they were Dexter's tenants. Sworn, 30 : 4 : 1657, before Elias Stilman,* clerk. Sworn before Edw. Rawson,* secretary.

Ens. William Dixy, aged about fifty years, deposed that about twenty-eight years ago, Mr. Isaack Johnson, his master, wrote to the Hond. Governor, Mr. Endecott "for a place to sitt downe in," whereupon Mr. Endecott gave them leave to go wherever they would. They went to Saugust, now Linne, where they met with Sagamore James and some other Indians, who gave them leave to dwell thereabouts, and they and the rest of his Master's company cut grass for their cattle, keeping them on Nahant, and had quiet possession. Sworn, 1 : 5 : 1657, before Elias Stileman, cleric. Copy made by Hilliard Veren,* cleric.

George Far, aged about sixty-three years, testified that

* Autograph.

Black Will or Duke William, so called, was the owner of Nahant and he helped to fence it in for Thomas Dexter. Sworn, 15 : 2 : 1657, before Francis Johnson, commissioner. Copy made by Edward Rawson,* secretary.

George (his mark) Sagamore and the Sagamore (his mark) of Agawam testified that Duke William sold all Nahant to Thomas Dexter for a suit of clothes which Dexter took again and gave him two or three coats for it. Copy made by Edwd. Rawson,* secretary.

Copy of depositions in this action, 30 : 4 : 1657, in Salem court.

John Witt, aged about forty years, deposed that Christopher Linsey told him, etc. Daniell Salmon deposed the same. Sworn, 1 : 5 : 1657, before Elias Stileman. Copy made by Hilliard Veren,* cler.

Mark Graves, aged about thirty-five years, deposed that he was in Boston with Michael Lambert and the latter asked Dexter if he had a share in Nahant and could help him in his trouble, etc. Sworn, 1 : 5 : 1657, before Elias Stileman. Copy made by Hilliard Veren,* cler.

John Legg, aged about forty-seven years, testified that when he was Mr. Humphery's servant, etc. Sworn, Apr. 7, 1657, before Francis Johnson,* commissioner. Copy made by Edwd. Rawson,* secretary.

Edward Ierson, aged about fifty-seven years, testified that about twenty-five years ago, he worked at fencing for his master Dexter at Nahant. After the fence was put up, all the new-comers were to give 2s. 6d. each to those who built the fence, including some of Salem who brought cattle there. Sworn, 27 : 2 : 1657, before Tho. Laughton, commissioner. Copy made by Hilliard Veren,* cler.

Joseph Armitage, aged about fifty-seven years, testified that upon Mr. Cobbitt's persuading them, some gave up their interest in Nahant, etc. Sworn, 30 : 4 : 1657, before Elias Stileman, cler. Copy made by Hilliard Veren,* cler.

Daniell Salmon, aged about forty-five years, deposed that he being Master Humphrey's servant about twenty-three years ago, there were wolves in Nahant and he commanded the whole train band to drive them out because it belonged to the whole town, and farmer Dexter's men being at training went with the rest. Sworn, 1 : 5 : 1657, before Elias Stileman cler. Copy made by Hilliard Veren,* cler.

Joseph Redknap, aged about sixty years, deposed that about twenty-two years ago, he fenced in his part of Nahant where he kept the town cattle since it was a town. This fence was in repairing of an old fence formerly set up there. Sworn, 27 : 2 : 1657, before Tho. Laughton, commissioner. Copy made by Hilliard Veren,* cler.

* Autograph.

Samuell Whiting, sr., of Linne, deposed that Mr. Humphries desired that Mr. Eaton and his company not only buy Nahant, but the whole town of Linne, and that Mr. Cobbet and he and others went to Mr. Eaton to offer both to him and to commit themselves to the providence of God, etc. Sworn, July 1, 1657, before Elias Stileman, cler. Copy made by Hilliard Veren,* cler.

John Ledg, aged about forty-seven years, deposed that about twenty-five years ago, his master, Mr. Humphries, etc. Sworn, 27 : 2 : 1657, before Tho. Marshall, commissioner. Copy made by Hilliard Veren,* cleric.

William Harker deposed that the present Hond. Governor was at Saugust or Linn, where there was an action commenced against one Linsey for living at Nahant, and deponent said he thought Lynn had nothing to do with Nahant. The Governor said he knew to the contrary, for said he, "I know that Nahant is the Towne of Linne." Sworn, 1 : 5 : 1657, in court. Copy made by Hilliard Veren,* cleric.

George Farr testified that all those who fenced at Nahant had proprietorship there, and when Capt. Turner with the rest made the fence, he said to make haste lest the country take it from them. Sworn, 27 : 2 : 1657, before Tho. Laughton and James Axey, commissioners. Copy made by Hilliard Veren.*

Wm. Traske, aged about sixty-nine years, deposed that he, Jno. Balch and others of Salem were given leave twenty-five years ago, by Thomas Dexter to put their young cattle at Nahant for the summer. Sworn, 22 : 2 : 1657, before Edmo. Batter, commissioner. Copy made by Edwd. Rawson,* secretary.

William Edmonds, aged about forty-seven years, deposed that about twenty-one years since he kept cattle at Nahant for the town of Lynn, etc. Sworn, 27 : 2 : 1657, before Tho. Laughton, commissioner. Copy made by Hilliard Veren,* cler.

Mr. Daniell King, aged about fifty-five years, deposed that he refused to sue the town of Lynn. Sworn, 1 : 5 : 1657, before Elias Stileman, cler. Copy made by Hilliard Veren,* cler.

Robert Driver, aged about sixty-five years, deposed that about twenty-five years since, etc. Sworn, 27 : 2 : 1657, before Tho. Laughton, com.

John Sibley, testified that about twenty-eight years ago, dwelling with Sir Richd. Saltingston, his master's cattle as well as Mr. Johnson's were kept at Nahant. Sworn, 1 : 5 : 1657, in court.

Joseph Redknap and Edward Richards deposed that at a

* Autograph.

Mr. John Gifford v. John Lee. Slander. Withdrawn.*

Nicholas Chatwell v. Mr. John Paine, Mr. John Pinchin and Mr. Jonathan Ting. Verdict for plaintiff. Forfeiture of the bond. Defendant appealed to the next Court of Assistants. Mr. Jonathan Ting bound, with Mr. Tho. Woodbridg and Mr. Nehemiah Willowby as sureties.†

Mr. Thomas Woodbridg v. John Griffin. Verdict for plaintiff.‡

Lynn town meeting, Mr. Richard Leader desired to have the wood at Nahant and Mr. Dexter urged them to let him have the runnings out of the pine trees. Leader said he did not care who had the runnings out if he might have the runnings in, but they would not grant it. John Tarbox deposed the same. Sworn, 27 : 2 : 1657, before Thomas Laughton, commissioner.

William Witter testified that he bought Nahant and Sagomer Hill and Swamscoat of Black William for two pestle stones. Sworn, 27 : 2 : 1657, before Thomas Laughton and James Axey, commissioners.

Copies of the foregoing four depositions made by Hilliard Veren,§ cleric.

*Bond of arbitration, dated Nov. 27, 1678, given by Jno. Lee|| and Jno. Gifford,|| to end all differences in matters of debt and slander, and Capt. Nathanill Saltingston, Esq., Mr. Jams Barnard and Capt. John Whipple were chosen arbitrators to report at the house of Quartermaster John Perkins. Wit: Tho. Mould§ and Edmond (his mark) Bridges.

†Bond, dated July 2, 1673, given by John Payne,|| John Pinchon and Jonathan Tyng,|| all of Boston, to Nicolas Chatwell of Salem, mariner, for 100 pounds. Wit: Jere. Dumer§ and Will. Hawkins.§ Sworn, 24 : 4 : 1678, before Anthony Stoddard,§ commissioner. Stephen Haskett's receipt, dated Mar. 22, 1674-5, to John Pynchon, jr., for 16li. 15s., it being his part of the bond.

Nicholas Chatwill's§ order, dated July 27, 1674, to pay Mr. Stephen Haskett of Salem, and Stephen Haskett's§ receipt, dated Aug. 1, 1674 to John Pynchon, jr. for 10 pounds. Wit: Hilliard Veren, sr.§ and William Henfield.§ Nicholas Chatwill's§ receipt, dated July 2, 1676, to Mr. Jonathan Ting, for 8li., three years' interest of 25li. Wit: Henry Bartholmew.§

Nicholas Chatwill's bill of cost, 1li. 2s.

Writ, dated 18 : 9 : 1678, signed by Hilliard Veren,§ for the court, and served by William Beale,§ deputy for Henry Skerry,§ marshal of Salem.

‡Writ: Tho. Woodbridge of Newbery v. John Griffin;

§ Autograph.

|| Autograph and seal.

Mr. Tho. Woodbrid v. Wm. Kneff. Verdict for plaintiff.*

Mr. Phillip Cromwell, as he married the relict and administratrix of Robert Lemon v. Bartholomew Gale. Special verdict. If plaintiff, in behalf of his wife, could sue for the land in controversy before it was inventoried, they found for plaintiff, the land in controversy; if otherwise, for defendant. Court gave judgment for defendant.†

debt; dated Nov. 5, 1678; signed by Nath. Saltonstall,‡ for the court; and served by John Page, jr.,‡ constable of Haverhill, by attachment of a piebald mare. Bond of John Griffing.‡

Tho. Woodbridge's bill of cost, 1li. 11s. 8d.

John March, aged about twenty years, testified that he went in behalf of Woodbridge to Haverill to collect some debts, and upon demanding 8li. of John Griffin, the latter owned it but said that Woodbridge owed him something for "ferrigh." Sworn June 24, 1678, before Jo. Woodbridge,‡ commissioner.

Order, dated Sept. 15, 1677, given by John Griffing,‡ to Mr. Tho. Woodbrig, to pay Goodman Gilde four or five pounds in goods and he would satisfy him by Goodman Sturlin. Samuel Gild's‡ receipt, dated Oct. 3, 1677, to Tho. Woodbridg for 5li. Wit: Edward Colcord‡ and Henry Jaques.‡ Owned by John Grffin and that he promised to pay in English and Indian corn, 23: - : 1677, before Nath. Saltonstall,‡ com.

John Griffin, Dr., Apr. 3, 1677, to 5 1-2li. tobacco, 3s 8d.; salt, 5s.; 20li. cotten wool, 1li.; callico & fruite, 7s. 6d.; 4 knives, 3s. 6d.; hooks & cotten, 4s.; paid Goodman Guile, 5li.; 3 yds. canvas, 9s.; charges to ye Constable, 6s.; total, 7li. 18s. 8d. Cr. p 1 hogg received, 15s.

*Writ: Tho. Woodbridge of Newbery v. William Kneff; debt; dated Nov. 6, 1678; signed by Nath. Saltonstall,‡ for the court; and served by Jno. Page,‡ constable of Haverhill, by attachment of house and land of defendant.

Thomas Woodbridge's bill of cost, 1li. 12s.

Order, dated May 2, 1678, given by William (his mark) Kneff to John Williams to pay to Mr. Thomas Woodbridge 3li. 4s. in staves or "expect farther trouble." Wit: Samuel Lad‡ and Laurence Hart.‡ Sworn, Nov. 25, 1678, before Jo. Woodbridge,‡ commissioner.

William Kneff, Dr., Mar. 28, 1678, to 2 yds. holland, 11s.; stokins, 9s.; 2 Hatts p Jno. Adkinson, 9s. 8d.; Thread & Cotten, 8s. 9d.; 17 1-2 pd. sugar, 10s. 4d.; cotten wooll, 15s. 3d.; 3li. 4s. Sworn in court.

†Writ, dated 19 : 9 : 1678, signed by Hilliard Veren,‡ for the court, and served by Henry Skerry,‡ marshal of Salem, by attachment of land on which his house stands.

Giles Corey v. Robert Moulton. Defamation. Withdrawn.*

Bartholmew Gale's bill of cost, 1li. 4s.

Edmund Batter, aged about seventy years, deposed that about seventeen years since, the town ordered that a piece of common land should be sold in small parcels to accommodate men who had no land in town to build upon. Robert Lemon bought a piece, not for himself but one of his relatives, of the selectmen, as did many others. Sworn in court.

At a meeting of the Selectmen the 6 : 4 : 1662, present, Maj. Hathorne, Mr. Browne, Mr. Corwin, Mr. Price, Sarj. Porter and Hen. Bartholmew, "laid out by the Select men according to a former order of the Towne of the land lying betwene the way and the coue that goeth to the Neck To Rob^t Lemon a house lott cont^t five pole alonge by the way and five pole next the coue lying before Edward Wollans house for w^{ch} he is to pay five pounds." At a meeting on 24 : 1 : 1662-3, present, Majr. Hathorne, Capt. Corwin, Mr. Price, Mr. Batter, Geo. Gardner and Hen. Bartholmew, "Granted to Hen^r West a bill to Rob^t Lemon for five pounds dew to him for his wages for ringing the bell & looking to the meting house for the year past." At a meeting on 22 : 10 : 1663, present, the same as the foregoing, "to Cap^t Corwin a bill to Rob^t Lemon for five pounds for Hen^r West." Copy made from the Salem town book of records, 19 : 9 : 1678, by Jno. Higginson,† recorder to the selectmen.

Copy of the will and inventory of the estate of Robert Lemon made by Hilliard Veren,† cleric.

Katharin Roots,† aged about sixty-two years, deposed that Bartholmew Gale now dwells upon the land that Robert Lemon, deceased, bought of the town for his daughter Martha, wife of said Gale. After Gale's wife died, there was an agreement made whereby Gale paid Lemon for the land. Sworn 28 : 9 : 1678, before Edmund Batter,† commissioner in Salem.

William Browne, aged about sixty-nine years, deposed that about seventeen years ago Gale built a dwelling house upon the land and fenced in the lot, and deponent, Maj. Hathorne and Mr. Batter laid out the lots. Sworn in court.

Bond, dated July 1, 1663, given by Bartholmew (his mark) Gale of Salem, fisherman, for three pounds in cod fish, to Robert Lemon for the use of Benjamin Lemon, so called, the child of Gale's late wife. Wit: Hillyard Veren† and Samuell Archard.† Sworn in court.

*Writ: Gils Cory v. Robart Molton; defamation, for saying that he stole several bushels of apples from him; dated 18 : 9 : 1678; signed by Hilliard Veren,† for the court; and served by

† Autograph.

Michael Farly v. Mr. Christopher Lattamore. Debt. Nonsuited.*

William Dounton acknowledged judgment to Mr. Phillip Cromwell.†

John Lee acknowledged judgment to Phillip Fowler.‡

Mr. Riddan had his former license renewed for the year ensuing.

Nehemiah Grover, Humphry Woodbery, jr., Richard Patch, Jonathan Biles, John Richards, Robert Bradford and John Patch took the freeman's oath.

Elias Henly was appointed administrator of the estate of Edward Vinton and brought in an inventory.§

Henry Skerry,|| marshal of Salem. Bond of Robert Moulton,|| with John Phelps,|| as surety.

Robert Moltin's bill of cost, 1li. 10s. 1d.

*Writ, dated Nov. 8, 1678, signed by Robert Lord,|| for the court, and served by William Woods,|| constable of Marbellhead, by attachment of house of defendant.

†Bond, dated Nov. 20, 1677, given by Will. Dounton¶ of Salem, carpenter, to Mr. Phillip Cromwell of Salem, slaughterer, for 15li., giving his dwelling house and land as security. Wit: Samuel Williams|| and Hilliard Veren, sr.||

‡Bond, dated Mar. 24, 1677-8, given by John Lee||, to Philip Foulter, for 3li. 1s. 6d. in silver, it being a bill that Esayas Wood gave to Daniell Hovy in his behalf about one year since. Wit: Joseph Lee,|| Richard Dole|| and Samuel Wood.|| Sworn, Nov. 25, 1678, before Daniel Denison.|| Phillip Foulter's|| receipt, dated 24 : 7 : 1678, to John Lee.

§Inventory of the estate of Edward Vinton, taken Oct. 17, 1678, by Samll. Ward|| and John Chin,|| and allowed, 29 : 9 : 1678, in Salem court: one old shirt and an old paier of whitt drawers, 5s.; 1 paier of whitt drawers, 1 paier of blue ditto and 1 whiett wastcoat, 9s.; 1 Cloth Coat and a sarg paier of briches, 1li. 4s.; 1 paier blue drawer, 18d.; 1 sarg wastcoat, 5s.; 1 sash at 9d.; 5 neckcloths, 6s.; 1 paier of old boots, 5s.; 2 paier of shooes, 5s.; 1 paier of old stokins, 1s.; 1 old Coat, westcoat and briches, 6s.; 1 paier of wosted, 1 paier of yarn stokins, 2s.; 1 old rugg, pillow and an old Cap, cloth coat, 6s.; 2 parsells of old liens, 1s. 6d.; 1 bibl and 3 other books, 6s.; hatt, 10s.; 1 old hatt and Cap, 3s.; 1 old Chest, 3s.; mony, 9s.; 1-2 kentel refuse fish, 5s.; total, 5li. 13s. Due from Elias Henlie for boats hier this last Sumer, 4li. 17s; half of a shallop bought of him to pay the next spring, 11li.; so much for mackerell in John Meritt's hand, 1li. 8s. Debts due: to John Farbuish, 4li. 10s.;

|| Autograph.

¶ Autograph and seal.

Mr. Wm. Browne, Mr. Edmund Batter and Mr. Bartholmew Gedney, chosen commissioners of Salem, took the oath.

Allen Bread made an addition to his brother's, John Bread's, inventory and it was allowed, and court being informed that there were three children of deceased surviving, he was ordered to appear at the next Ipswich court for a distribution of the estate.*

to same, 1li. 6s.; to Richard Knott, 15s.; to John Buckley, 2s. 6d.; to Christopher Latimor, 2li. 5d.; to Elias Hendey, 4li. 14s.; by Geo. Michell, 4s.; by Mathew Salter, 2s.

*Copy of inventory of John Bread's estate, allowed in Ipswich court, Sept. 24, 1678, taken by Thomas Fuller and John Newhall: a load of hay & other things, 1li. 5s.; one horse, 2li. 10s.; two oxen, 7li.; 4 cows, 10li. 10s.; young cattle, 5li. 5s.; swine, 3li. 10s.; sheepe, 3li. 14s.; the fery piece of land, 45li.; house and ten pole of land, 35li.; 16 acres of land in Rumly marsh, 74li.; 10 acres in hows neck in rumly marsh, 10li.; 12 acres bought of John Haucks, 6li.; a part in a boate, 13li. 10s.; English corn, 2li.; Indian corn, 2li.; weareing clothes, 6li. 12s.; lining, 1li. 7s.; bedding, 7li. 10s.; hatts, 12s.; armes and bootes, 1li. 8s.; two silver spoones, 15s.; pewter, 1li. 12s.; kettle & pott & skillet, 1li. 5s.; lumber, 6li.; pot hangers & spit & chamber pot, 5s.; other things, 1li. 15s.; total, 249li. 17s.; more, in coverlids & blanketts and bed, 7li. 13s.; lining, 5li. 2s.; Iron things, 2li.; pewter, 1li.; other things, 7s.; cloth, 16s.; a pillion cloth, 5s.; pressing Iron, 2s.; chaires, 7s. Debts: to the nurse, 2li. 15s.; the docter, 1li. 1s.; John Daves, 17s.; John Tarbox, 6s.; Goodman Mechham, 2s. 4d.; Mr. Nowell of Boston, 9s.; Thom. Ivory, 6li.; Samuell Johnson, 2li. 10s.; Clement Coldam, 8s.; Allen Bread, 11s.; Allen Bread, 9s.; Timothy Bread, 9s.; Samuell Hart, 3s.; total, 20li. 14s. 10d.

Added to the inventory, by Joseph Armitage† and John (his mark) Newhall: 15 barel of Indian corn, 1li. 10s.; 3 bushel of Ri, 10s.; 10 Cord of wood, 1li. Debts: to Ambros Gale, 1li. 5s.; Nathanel Kirtlan, 5s.; William Craft, 5s.

Copy of agreement, dated Sept. 24, 1678, between Allen Bread, jr., and Sarah Bread, widow, that the widow should give up all her interest in the estate of her husband, John Bread, in consideration of 40li. to be paid as follows: two oxen, two cows, a sow and five pigs, twenty bushels of Indian corn at 2s. per bushel, six sheep, two lambs, twenty pounds of sheep's wool, a yearling steer calf, and 20li. in silver to be paid in four years, five pounds a year, she to have what she brought to her husband upon marriage, also six loads of hay at the Island in

† Autograph.

John Procter, complained of for selling cider and strong waters to Indians, was convicted of selling a quart and fined. John Parker was also fined for selling cider to Indians.*

Rumly marsh. Wit: John Fuller, Nathaniell Ballard and Joseph Bread.

*Gils Cory and John Parkar testified that some time last spring they came to John Procter's house and saw an Indian lying there drunk with a pot of cider beside him. The Indian asked deponents to drink and they did and it was cider. Sworn in court.

Abram Walcot and John Parkar deposed that Indians came into Procter's house, called for cider, and paid for one quart to Procter's wife. She also sold a gill of liquor and took a pawn for it. Sworn in court.

Goodwife Cory and John Parkar testified that Goodwife Procter told them last spring that she had sold 2s. 6d. worth of cider to one Joseph, an Indian, this spring and asked said Cory to let her have the money she owed the Indian for baskets. Deponent paid Procter's wife half a crown in money, and she said she might as well let them have drink as other folks. Sworn in court.

John Gloid, aged about twenty-five years, testified that he dwelt in the house of John Prockter since the last of July, 1678, and there had been no kind of strong liquor sold in that house, and Elizabeth, daughter of John Prockter, had drawn the cider and liquor. Sworn in court.

Elizabeth Procter, aged about sixteen years, deposed that she had been the drawer of liquor for her father for several years and for the past year no rum or brandy had been sold. She kept the key to the cellar. Sworn in court.

Benjamin Procter, aged about eighteen years, son of John Procter, testified. Sworn in court.

Robert Lord, marshal, affirmed that he had called at John Procter's house for liquor and could get none, etc. Sworn in court.

John Phelps, aged about thirty-six years, deposed that he having frequent occasion of coming to John Procter's house, etc. Sworn in court.

John Pudney, aged about forty-two years, testified. Sworn in court.

Benjamin Prockter, aged about eighteen years, testified that John Prockter's wife gave a couple of pots of cider to John Parker and he sold it to an Indian. Sworn in court.

Mary, wife of Zachary Marsh, aged about thirty years, deposed. Sworn, 28 : 9 : 1678, before Edmund Batter,† commissioner in Salem.

Zerubbabel Endecott, gentleman, aged about forty-three

† Autograph.

Andrew Ellet was allowed clerk of the writs for Beverly.

Mr. Richard Knot had license granted to sell strongwater at retail only to his own fishermen [belonging to his boat or concerned in the voyage.—*Waste Book*.]

John Legg, Mr. Ed. Batter, Capt. George Corwin, Capt. Price, Mr. Wm. Browne, sr., Mr. John Hathorne, Mr. Bartholomew Gedney, Mr. John Ruck, Capt. White, Ambross Gale and Mr. John Turner had licenses granted to retail strongwaters for the ensuing year.

Ellenor Hollingworth had her license renewed, also Mr. King, Mr. Ridan, Mr. John Gedney and Capt. Marshall.

Leift. Jeremiah Neale with other of the children of Robert Buffum, petitioning for a settlement of the estate of their father Buffum who died intestate, court ordered that all the houses and lands be bound for security for the children's portions. The next Salem court was to proportion the estate according to law unless in the meantime all persons concerned mutually agreed about the division of the estate.*

years, deposed that he had several times been sent for when Indians had been at Procter's the past year, and they had no liquor in the house, or they would have given him a dram. "I observed always good order in the house. I fear its out of Ill will mor than matter." Sworn, 28 : 9 : 1678, before Edm. Batter,† commissioner in Salem.

George Lockhartt, aged about twenty-one years, and Benjamin Procter, aged about eighteen years, deposed that they both dwelt in John Procter's house in December, 1677, and one night John Parker came in at an unseasonable time with a wooden bottle full of rum and drank from it so much that he was drunk. Sworn in court.

Benjamin Prockter, aged about eighteen years, deposed that Abraham Walkott being at the house of his father John Procter about a month ago, the latter's wife asked him why he said she sold liquor to the Indians. Walkott disowned it and if he swore to that, he would swear to a devilish lie. Elizabeth Prockter, aged about sixteen years, testified to the same. Sworn in court.

George Lockhartt, aged about twenty-one years, testified that he was a dwelling servant of John Procter's in 1677, and drew the liquor out of the barrel and put it in a runlet. Elizabeth Procter had drawn the liquor for three years to his knowledge. Sworn in court.

*Petition of Robert (his mark) Wilson, John Hill,† William

† Autograph.

In answer to a petition of the selectmen of Newberye, they were given liberty to build a sufficient firm and safe bridge and agree with somebody to build it at as low a price as they can at the town's charge. Court allowed that everyone who came over the bridge should pay one penny for a single person and three pence for a horse and man, the town to have the tolls until the county takes the bridge into its care. If the county takes it, the town was to be allowed the value of the bridge.

Hanna Adams accusing Joseph Mayo to be the father of her child, he and his sureties, Mr. Tho. Woodbridge, Hugh March and Samuell Geding, were ordered to pay her from the time of the child's birth to Ipswich court next, for its keeping, that is 20s. to Abraham Adams.*

Beanes† and Jeremiah Neale,† children and heirs of Robert Buffum, deceased, that they might have their share of their father's estate, Tomazin Buffum, relict of said Robert Buffum, the administratrix, having "Disposed of the same according to her fancie or affection led her, or else keepeth y^e same still in her hands."

Mary Buffum, alias Mary Neale, aged about thirty years, deposed that she tended her father throughout his last sickness and several times she heard her mother ask her father to make his will. He seemed to take little notice but just before his death she desired him to give their son Caleb some land in the north field of Salem, which he would not do but said he would have his son Joshua have a double portion. For the rest of the children he would make no difference, for they were hers as well as his. Sworn, Nov. 25, 1678, before Bartho. Gedney,† commissioner.

*Joseph Mayo, on May 14, 1678, was brought before Jo. Woodbridge,† commissioner, charged by Jacob Adams, with being the father of the child of Hannah Adams, his sister. He denied it and on June 19, 1678, Adams gave bond to prosecute at the next Ipswich court, and Mayo was committed to prison.

Mary Higginson deposed that Joseph Mayo came to her bed, etc. Affirmed, "she did not sweare this for she sayd she never took an oath & knew not what belonged to an oath," before Jo. Woodbridge,† commissioner.

Isaac Adams, aged about thirty years, testified that Joseph Mayo was going along by his father's house and Mayo said he was going to Tho. Thurleyes and he desired deponent to carry sister Hannah to said Thurleyes.

† Autograph.

Jeremiah Jewett and Nehemiah Jewett were appointed administrators of the estate of Mr. Edward Carleton, who was formerly of Rowly, and were ordered to bring in an inventory to the next Ipswich court.*

William Hollingworth dying intestate, administration upon the estate was granted to Elenor, the relict, who brought in an inventory† of the estate to which she made oath. The estate being debtor to several persons for more than the inventory amounts to, court ordered that all creditors bring in their amounts to Mr. Ed. Batter and Mr. Wm. Bowditch of Salem, who were to make return to the next November court held at Salem.

Robert Cam, aged about nineteen years, deposed that he told Hannah Adams the Sabbath day before Jo. Mayo came in that he heard Jo. Mayo was taken by the Turks and asked what would become of her, if what people said was true. She laughed and said it was not true, etc. Sworn, May 27, 1678, before Jo. Woodbridge,‡ commissioner.

Anne Thurley, aged about forty-four years, deposed that she was present when the child was born, about six weeks ago, and she persuaded Goodwife Dole, the midwife, to tell the father, etc. Constance Moores, aged about twenty-seven years, deposed the same. Sworn, Nov. 22, 1678, before Jo. Woodbridge,‡ commissioner.

*Petition of Christopher Babbadge† and Hannah Babbadge,‡ his wife: "that whereas Mr Edward Carlton, sometime of Rowley Left an estate in New England when he went out of the Country: part of which hee sending his son John Carlton by vertue of a Letter of Atturney did receive in his Behalf: wee Conceiuing that there being some of his estate unreceiued by his sayd son, desire that this Honoured Court would appoynt some of our Relations Jeremiah Jewett or Nehemiah Jewet or both to be Administrators to the estate of the said Mr Edward Carleton, that If anything may be pserued it may be forth Comeing to the children of the said Hanna Relict of the said John Carlton, deceased the only Heires to any such estate (as we Conceiue) or as authority shall dispose of it."

†Account of what debts of my husbands William Hollingswood I Elenor Hollingwood have paid since his departure out of my wone labor not diminishing his Estate, but makeing use of other mens Estate wch I was trusted for and am In debt for most of it still: To Mr. Thomas Kellon, 19li. 18s.; Mathew Nickson, for a hogsd. of Tobacco my husband had of him & for his wages to Virginea being arrested, 12li.; to Hugh Wood-

‡ Autograph.

Mathew Salter renounced his executorship of the estate of Ann Condry, and court appointed Mathew Salter, Samuell Read, Thomas Tainer and John Hooper administrators of the estate according to inventory brought in.*

berry, for his wages to Virginea with my husband, I being threatened to be arrested for it, 3li. 3s.; to Mr. Edmund Batter, debt of my husband's, 20li. 18s.; to Mr. Heman of Charles-towne, for a debt of my husband's being arrested, 9li. 13s.; to John Becket, ship carpentry work due from my husband, 1li. 16s.; total, 67li. 8s.

Inventory of the estate of Mr. William Hollingwood, taken Aug. 29, 1677, by Joseph Grafton and Thomas Gardner, sr., house and land was mortgaged to Mr. Phillip Crumwell; one bed, one Blankett, one Covered, one Bolster & Bed steed & Curtains, 5li.; one cubbard & 2 Tables, 2s. 10d.; five Leather Chaires, 1s. 5d.; Six old chaires, 10s.; one chest, 18s.; Seven framed pictures & 2 Boxes, 9s.; one paire of Andirons & one Warming pan, 5s., all in the best room; in the kitchen, 2 Kettles & 3 skilletts, 2li. 10s.; 2 potts, 5s.; 2 paire of scales, one skimmer, a Basting Ladle & forke and Leaden weights, 10s.; 6 pewter platters, 4s.; 2 plates, one candlestick, 3 qrt. potts, 2 cupps, 2 Basons & salt, 10s.; one Jack & 2 spitts, 1li.; 2 paire of Tongs, one paire of Andirons & fire pan, 8s.; one Fryeing pan, 2 hakes & a gridd Iron, 10s.; one mortar & pestell & 1 doz. of Treuchers, 5s.; one paire of Bellowes & a smoothing Iron, 3s.; one Table & Forme, 5s.; in the chamber above, one feather bed, one paire of Blanketts, 3li.; one flocke Bed & Bolster, one Blankett & one old Rugg, 1li. 5s.; 2 Bed steeds, a Table & one chest & settle, 1li. 5s.; in the other chamber, one feather Bedd, Bolster & pillow, one Blankett, Bedsteed & Curtaines, 6li.; one covered & one cubbard, 2li. 10s.; one Table & 3 green chaires, 15s.; 3 Trunks & a chest, 1li. 10s.; A looking glass & Trundle Bedsteed, 1li.; 4 paire of sheetes & one sheete, 5li.; 4 paire of old sheetes, 1li. 5s.; 4 paire of pillowbeers, 1li.; 3 Table cloathes, 2 cubbard cloathes, eleven Napkins, 1li. 15s.; 13 Napkins & 10 Towells, 1li.; one paire of pistolls & holsters, 2 Rapiers & 2 Belts, 16li.; one saddle, 1li. 5s.; 3 Carpetts & one Little one, 1li. 4s.; A Blacke suite & cloake, 5li.; one pair of drawers, one Wastcoate & Boote hose Topps, 18s.; in the Brew house, the Copper & Brewing Tubb, 20li.; a Fowling peece & sword, 1li. 10s.; things forgotten & after Entred, 25li. 7s.; A port mantle; 2 chamber potts & a dripping pan, 1li.; total, 92li. 9s.

* Will of Ann (her mark) Condry, dated Oct. 9, 1678, and proved by John Hooper and Elizabeth Briers: "being in her right sencis hath giuen to her sister willmet Red on great Iron pot more giuen to Christian Hooper on puter platter and on ||puter||plater to her daughter Elisebeth Hooper more giuen

Court referred the hearing of the presentments now brought in to the Worshipful Major Wm. Hathorne and the commissioners of Salem jointly together.

to Elisebeth Tainner twenty shillings in mony more twenty shillings in mony to her daughter Elisebeth tainner more three puter platers and all her waring close more ten shillings to Elias tainner more ten shillings to Josias Tainner more ten shillings in mony to ann tainner more ten shillings in mony joanna tainner more ten shillings in money to thomas tainer to be payd when Christopher hoxabel pays his last payment concerning the house hee bought more giuen to John Hooper ten shillings in mony more to his son John hooper a puter cup to Elisebeth tainer a brase cellet and a candel stick and a puter cup and a becer to John hooper children a puter poringer a pice more two poringer to Sarah pick and mathew salter is to fulfill these things and pay the depts and to Receue what is du I giue him full power and take all what is left." Wit: Elisebeth (her mark) Briors, Sarah (her mark) Pick.

Amount of Samuells Condes depts: to Mr. Jon. Swett at Boston, 1li. 12s. 9d.; Docktar Wells at Salem, 1li. 10s.; Richard Knott of Marbled, 15s.; John gathell of marbled, 10s.; John Furbush of Marbled, 10s.; Mr. Roods of Lin, 6s.; John Waldron of Marbled, 4s.; wt was layd out in buriing good. Conde, 2li. 3s. 4d.; total, 7li. 11s. 1d. To Peter Boulter of Ipswich, 15s.

Inventory of the estate of Ann Condry, widow, taken by John Legg* and Thaddeus Riddan*: a dwelling house and two thirds of a garden with the priviledge belonging thereto, 25li.; one small outhouse, 12li.; A Barne with some hay & 2 old barels in it, 5li.; One cove, 3li., 3 bus. Indian & 1-2 bus. Rye, 7s., 3li. 7s.; a silkegrass bed & 2 small old Rugs, 16s.; one pr. blanketts, 7s., 2 pr. old sheets, 6s., 13s.; one bolster & case with 3 silkgrass pillowes, 12s.; three curtains & one vallant old, 4s.; two old bedsteads, 7s., 1 Table & forme 7s. 6d., 14s. 6d.; two iron potts & one iron kettle, 1li.; one trammell, 2 pr. pothooks, one spit & 2 old Lamps, 7s. 6d.; one old boxe & one old chest, 5s.; one chest & a warming pan, 12s.; one old coat & 1 pr. breeches, 7s.; Three pewter dishes & 5 porringers, 10s.; dripping pan, one quart pot, one pt. pot & 1 cup all old, 5s.; six earthen-dishes & 2 milke pans, 2s. 6d.; brass skillett, one pitcher, 2 earthen pots, 4s. 6d.; small old table and old chaire, 4s.; A sowe in the woods, 9s.; 4 gall. molasses, 4s. 6d., 1 axe & 2 old pails, 4s., 8s. 6d.; 1 cord wood, 7s., 1 parcell cabbage sold for 5s., 12s.; A barrell & 1 old leather cushion, 3s. 6d., 3s. 6d.; fire shovell and tongs & beetle, 2s. 6d., 1 pr. bellows

*Autograph

David, Mr. Pilgrim's "neager" man, and Judeth, Capt. More's "neager" were sentenced to be whipped for fornication, the man ten stripes and the woman five, or pay a fine. They paid the fine.*

Edmond Bridges, presented for suspicion of swearing falsely was admonished.†

& fleshfork, 2s. 6d., 5s.; two old pewter dishes; 2s., 1 old spinning wheel, 2s. 6d., 4s. 6d.; one wescoat sold to Sarah Trevy, 8s.; total, 54li. 14s. 6d.

*James Powland, aged forty-six years, deposed that several times he had seen David Geffard in Capt. Richard Moares yard when he had occasion to go there. Capt. More testified that he had forewarned David several times about coming to his house.

†Warrant, dated 29 : 9 : 1678, signed by Hilliard Veren,† cleric, and served by Jno. Norman,† constable of Salem, who made Isack Cooke his deputy to summons Samuell Ebborns.

At a commissioners' court at Salem, 12 : 9 : 1678, Edmond Bridges made oath that his absence at the last commissioners' court was not out of willful contempt but through infirmity of body, and his fine was remitted.

Samll. Eborne, sr., aged about sixty-eight years, deposed that going to Marblehead to Capt. Smith's farm where Michael Bowden lives, Edmond Bridges, sr., and Franc Nurce came riding on their horses, etc. Sworn, 27 : 9 : 1678, before Edm. Batter,† commissioner.

James Smith, aged fifty-six years, deposed that Bridgis said he was loth to leave the company of Francis Nurs, and he had been to the commissioners' court, etc. Deponent met with Joseph Gatchel at Forest river bridge and bade him tell any one who inquired for him that he had gone to Bayly's to drink sack, etc. Sworn, 27 : 9 : 1678, before Edm. Batter,† commissioner.

Isack Cooke, aged about thirty-eight years, deposed that standing in the entry at Mr. Gedney's by the stairs, he saw his brother Henry Cooke coming with some goods tendered by him to satisfy a judgment granted Thos. Cooper, and as he was going in to said Cooper in the parlor, Bridges in a violent manner shut the door upon him, etc.

Charles Knight,† aged about thirty-five years, testified that the Tuesday after their last training and trooping in Salem, etc.

Joseph Gatchell, aged about twenty-six years, deposed that he met Bridges on horseback with Mickall Bouden on the same horse, just by the brook beyond the south field next to John

† Autograph.

Joseph Kemboll chose Walter Feirefeild as his guardian.

Mr. Timothy Woodbridg of Newberye, a master of arts, was licensed to practice physic and chiriurgery by this court.

James Browne was allowed 4s. for searching out Bethiah Gatchell.

The will and inventory* of Joseph Parker of Andever were proved and allowed.

Homes' house, etc. Mathew Barton testified to the same. Sworn, 27 : 9 : 1678, before Edmond Batter,† commissioner.

Tho. Couper and Will. Adams testified that Edmond Bridges was their attorney and they had a private room at Gedney's to transact some business. Henry Cooke forced his way in and Bridges put him out.

Isacke Cooke, aged about thirty-eight years, testified that Henry Cooke's wrist was bruised so that the skin was broken, etc.

John Cooke, aged about thirty years, testified. Nicholas Devrill deposed.

*Will of Joseph (his mark) Parker‡ of Andover tanner, of "great age," dated Nov. 4, 1678, and allowed, 26 : 9 : 1678, in Salem court: "Imp: I giue unto my dear and louing wife Mary Parker my dwelling house and house lott, with all my householdstuf, and what parcel of meadow lying upon the mill River, and two of my best Cowes allsoe that land I haue in Shawshin feild, expecting she should out of the same prouide for my son Thomas, my second son, whoe by gods prouidence is disinabled for prouiding for himself, or managing an estate if Committed to him by reason of his distemper of mind att certaine seasons. I doe allsoe will and require my s^d son Thomas to be obedient to his mother and any of her sons she shall imploy about her business, in y^e managing her husbandrie affaires and this abouesd giuen to my wife is during her naturall life, and afterwards to returne the one half to my son Stephen, my meaning is the one half of the upland (*viz.*) y^e northerly part of the s^d lott, leauing my household stuf to be disposed of by my wife att her diseas among her children as god shall direct her the easterly part of y^e s^d lott and that land in Shawshin feild, to goe to my son Thomas, and to be improved for his livelihood either by himself, or those he shall make choise of for his guardians but not to be alienated by him, but after his decease, provided he dies without issue, then to returne to my son Samuell, my dwelling house hortyard barne and ground about y^e mill, I giue to my son Josep after his mothers deceass, and allsoe y^e abousd meadow upon y^e mill riuier.

"It. I giue unto my son Joseph, my grist mill with all y^e

†Autograph.

‡ Seal.

priviledges belonging to it, alsoe fourty acres of upland lying on y^e southeasterly end of y^e great pond, with ten acres of swamp land adjoyning to it, alsoe all my interest in a meadow, Called shoe meadow, and another parcell of meadow, called y^e bounds meadow, allsoe threescore acres of upland which I have yett to take up. It. I giue to my son Stephen my last diuision of upland and meadowe y^e upland containing eight score acres, threescore acres of y^e sd diuision of upland, is that about mentioned, giuen to my son Joseph this s^d diuision of meadow being ten acres. allsoe two acres of upland lying by Haverill high way being part of my swamp Diuision. It. I giue to my son Samuell all my interest in a meadow Commonly Called millers meadow and allsoe ten pounds to be payd by my son Joseph five pounds, and by my son Stephen five pounds within a twelvemonth after my decease, only I doe reserue two acres of y^e abouesd millers meadow for my son Joseph to be taken on which side he likes best. It. I giue to my three daughters Sarah Mary and Ruth ten pounds a piece to be payd by my Executor within four years after my decease. It. I giue to my dear wife all my estate in old England, that at Rumsey, and allsoe any legacies that is left me by any frind there, to be disposed of after her decease among her children, as god shall direct her. It. I doe appoint my son Joseph to be my sole Executor: and to pay y^e legacies above exprest, and any of my estate which I may happily haue forgott either debts or otherwise, I giue to my s^d Executor. It. I doe alsoe appoint for my ouerseers my louing Brother Nathan Parker, and my louing freind Left. John Osgood alsoe my louing friends Henery Ingalls and Ensigne Thomas Chandler." Wit: Dudley Bradstreet* and Thomas Chandler.*

Inventory of the estate of Joseph Parker of Andover, taken, Nov. 18, 1678, by John Osgood,* Henry Ingalls* and Nathan Parker,* and allowed 26 : 9 : 1678, in Salem court: beds and appurtenances, 12li.; household vessells, a kettle, poots, peuter and woode, 3li.; books, 1li 10s.; spinninge wheelles, tow com & chairs, 15s.; provision in the house, 1li. 18s.; corne in the house & barne, 20li.; fouer catell, 1 cow, 2 three year oldes, one yearling, 12li.; swine, 6li.; corne mell, 20li.; dwelling house & barne, orchard & home lott, 68li.; 12 akers of unimproued land about 6 acre, 12li.; 6 akers of land in shasheen Feelde, 12li.; 50 akers of land by the ponde, 60li.; 140 akers of land by the seder swampe, 70li.; 60 akers to bee taken up off the towne, 30li.; 6 akers of medow on the mell Reuer, 24li.; 8 akers of medow in the miller medow, 32li.; 9 akers of medow att the Ceder swampe, 27li.; 6 akers att Shew medow, 24li.; cartes, plows, plow Irons, chains, yokes & other takling, 4li.; carpenders tooles, axes, wedges, betell Rings, sith, how, sixells,

* Autograph.

The will* and inventory of John Brimblecom were proved and allowed.

Edward Bodie dying intestate, Erasmus James was appointed administrator, and brought in an inventory.† The

3li.; armes, guns, swords, 2li. 10s.; a cow hide, 12s. 6d.; an estat in lands in Inlande, 100li.; total, 546li. 5s. 6d.

*Will of John (his mark) Brimbellcom, dated May 11, 1678, proved 29 : 9 : 1678, in Salem court: "my will is that what Estate is Lefte After my Deptes is paide that Tabitha my wife shall fully and wholly Inioye it for the Terme of Her Naturall Life Thirdly my will is That after The death of my sd: wife That my soon Phillipe Brimbelcom and his Children after Him shall Inioye the full and whole Estat that shee shall Leauue to saye my wife what is Leafte of what I Leave her fourthly my will is That my Execetors out of what Estat I Leauue shall paye to my too Daughters Richard Holman and mary Tucker as a Legaci Twenty shilings a peece. fiftly my will is that my wife Tabitha and my soonn Philipe bee jointe Excecetrex and Exceceter of my whole Estate In Being By them To bee managed and Emproued as aboue further my will is That my Trusty frinds John Codner and John Leg Bee my ouerseeres of my Excetors for the Emprouement of The Estate according to this my will and Testament my will ffurther is that if my s^d: sunn Die without Isshue that what is Lefte of my Estate after the death of my s^d: wife and sonne and his child or what Childrin he maye haue that it shall bee Equally diuided Betwext my too Daughters Richard and mary." Wit: John (his mark) Codner and John Legg.‡

Inventory of the estate of John Bremblecom taken Nov. 12, 1678 by Christopher Necke‡ and Thaddeus Riddan‡: one halfe of a shallop & Connue & what else belongs to ye half & boat, 15li.; one dwellinghouse, out house and land with ye privileged belonging to it, 40li.; one halfe of a servants time, 5li.; one bed filled with silke grasse with Rugg, Blankets, bedsteed & 2 pr. ould sheetes, 4li.; 3 Chests ould ones & ould barrells, 8s.; one muskett, one houldbert, one Cutles, one swoard & Belt, 2li.; 4 potts & a small Kittle, 1li. 10s.; two pair pott hangers, two pair pott hooks, one fire shoovell & tonges, grid-iron, &c., 10s.; pewter dishes, cupes & warming pann, 15s.; Table & forme & a spitt, 10s.; one frying pan & two ould Axes, 5s.; three ould Chaires, two pailles, washing tubs, wooden Trays & a dresser, 6s.; wearing apparrell in all, 3li; one spinning wheele, 2s.; several lean swine, halfe a Cow & Calfe, 3s.; total, 76li. 6s.

†Inventory of the estate of Edward Bodie lately deceased, taken Nov. 28, 1678 by John (his mark) Roads, sr., John Roades,‡ and Erasmus James‡: 1 carsy cotte & Brishes,

‡ Autograph.

creditors were to be apportioned by Hilliard Veren, clerk, as far as the estate will go.

Charles Gott was appointed administrator of the estate of Alexander Bravender, and made oath to an inventory.*

Samuell and John Robinson, executors, brought in the will† of William Robinson, deceased, which was proved and inventory allowed before the Worshipful Maj. Gen. Denison, assistant, and Mr. John Woodbridg, associate.

15s.; 1 capt cotte & Brishes, 12s.; 1 hatte, 2s 6d.; 2 ould pare of drayers and one wascotte, 5s.; 4 kintalls of refus code, 2li.; 1 barill of mackrell, 16s.; total, 4li. 10s. 6d. The dettes of the deceased: to William gover for his buriall & chargdes upon him in his sicknes, 3li. 9s. 8d.; William gover for seaverall months dyett he hade, 5li.; William govers wife for washin of him fifteen monts, 15s.; William gover for 4 codlines and two code leads, 1li.; for mony the said gover lent him, 3s.; Richard Knott, dockter, 13s.; total, 11li. 8d.

*Inventory of the estate of Alexander Bravender of Wenham, deceased Oct. 22, 1678, taken Nov. 19, 1678 by Thos. Fiske† and John Batcheler‡: Beding, 1li. 3s. 6d.; two old skilits & working tools, 8s.; wearing cloathes, 3li. 9s.; three old barels, 2s. 6d., total, 5li. 3s. The estate debtor to Charles Gott: to ten weeks howse room & nursing in his sicknes before he dyed, 3li. 10s.; his funerall, 1li. 10s.; total, 5li. Out of his estate above mentioned he gave to our pastor, 5s.; to some others of his freinds severall things *viz.* one dubblet to John Fiske to Robert Mackelaffin an old stuff Cloake; to Alexander Tomson a paire of stockings; to Jno. Ross a shirt; to Alexander Maxey a Jacket & a paire of Britches, being all prized at 19s.

†Will of William (his mark) Robinson of Salem, dated Feb. 9, 1676-7, and proved 29 : 9 : 1678, in Salem court: "Imprimis I giue and Bequeath unto my Son Joseph Robinson who is now in the Barbados and whom as I heare, the Lord hath blessed with a liberall Competency for his outward Subsistance, & hath no child & his Brothers here haue each of them a greate charge, and want more help then he doth, upon wch Consideration, although he be my Eldest Son, yet I giue & bequeath unto him but Twelue pounds in Currant pay of ye Country; & that not to be paid him unless he comes in his owne person to demand it of y^e Executors to my Estate Item I giue & bequeath unto my daughter Sarah Newberry ffiue pounds in Courrant pay of the Country to be paid to her owne Self and to noe other, and for her owne peculiar use and benefitt & disposeall

‡ Autograph.

Samuell Shattock, sr., and Samuell Shattock, jr., having been appointed Mar. 26, 1678 at Ipswich court administrators of the estate of Edward Wharton of Salem, glazier, and now presenting an administration granted to one George Wharton living in the Tower of London, brother to said Edward, under seal of the Prerogative Court of Canterbarie, which they lately received from England, and a letter of attorney having been received from said George, court ordered the estate here to be sent to England, they paying all the debts here in New England, and the administrators released.

Edmond Bridges, complained against Bethiah, wife of Samuell Gatchell, in behalf of the King and country, informing the court that Bethiah had had two children in the absence of her husband, which she confessed were born by her husband's brother, Joseph Gatchell. She was sent to Boston goal to be

"Item I giue to my Grand Child Tymothy Robinson y^e sum of fforty Shillings in Currant pay of y^e Country to be paid him at y^e one & Twentieth year: of his Age if it please god that he liues so long And ffor Executo^{rs} to my Estat w^{ch} I may Leaue at my decease, I doe now nominate & appoint, my Two Sonns Samuel & John Robinson; Willing them to see this, my Last will performed, & also to defray the charge of my ffunerall and pay all just debts wch I may owe; and then for all the Remainder of my Estate Left, both ffor howseing, Lands in y^e Towneship of Salem, goods, chattles moveables & unmoveables, and all dues unto me belonging upon my just accompt whatsoever I giue and bequeath unto them my Said Two Sonns in equall shares to be devided between them & ffor there onely & propper use forever, and for their disposeall as they may see good for y^e benefitt of themselues & their children after them. In witness whereof I hereunto Sett my hand & Seale y^e day & yeare abouesaid." Wit: Stephen Daniell* and Richard Croad.*

Inventory of the estate of William Robinson of Salem, lately deceased, "as it was shown to us by his sonns Samuell and John Robinson," and taken Nov. 22, 1678 by Samuel Gardner, sr.,* and John Massey:* an old Dwelling house and Barne with about Six Acars of Land and orchating upon which the house stands, 40li.; another small Dwelling house with a barne and one quatar of an Acar of Land upon which it stand and about Thre Acars of Land Nere adjoyning to it, 30li.; one Ten Acar Lott in the North ffield, 35li.; about a quatar of an Acar of Moing ground, 5li.

* Autograph.

tried at the next Court of Assistants. Joseph Gatchell was committed to Salem prison, but the next night he broke prison and escaped.*

At a court held by the Worshipful Major Wm. Hathorne and the Commissioners of Salem, 10 : 10 : 1678:

*Nicholas Chatwell being at Barbados the latter end of January last and in the house where the wife of Samuell Gatchell was with a child, deponent said that it was a pretty child, to which she replied that it was her brother Joseph Gatchell's. Sworn in court.

Thomas Greenslade deposed that coming over in the vessel from Barbados, he heard Bethia, etc. Sworn in court.

Examination of Samll. Gatchell's wife: that she went to Barbados to seek her husband with her brother-in-law Joseph Gatchell, through Newbery, as they went to take ship, etc.

Samuell Gatchell said that he had not been in this country

Papers in the actions, tried before the Salem commissioners, 10 : 10 : 1678, all testimony sworn, 12 : 6 : 1678, before Edm. Batter:†

Charles Phillips, aged about forty-nine years, deposed that he saw Geyles Corie's wife, sometime in the last June, drunk upon the highway, and that she tumbled off her horse several times, and was not able to go or stand.

Benjamin Procter and Elizabeth Procter deposed that the next day being the Sabbath Goody Cory said that she had her drink at Edw. Bridges.

Mary Gloyd, aged about twenty-one years, deposed that being in the milking yard of Geyles Corie milking her own cow, she heard a noise like the tramping of several horses coming toward her. She looked but could see nothing, and being startled went to the house the nearest way. Going over a pair of draw bars, she thought she heard the horses go tearing over before her. She told her story to John Parker, who said she was a simple woman to be affrighted for there was always a troop of horse about the milking yard, winter and summer.

Bill of cost, 2li. 1s. 11d.

John Moulton, aged about twenty-five years, deposed that he had heard Goody Corey swear several times by faith and troth.

John Gloyd, aged about twenty-five years, Benjamin Procter, aged about seventeen years, and Elizabeth Procter, aged near sixteen years, deposed that the night of the arbitration at Capt. Moore's about Geyles Corey's and Jno. Gloyd's business, John Parker was so drunk he could hardly go or stand. Also that John Parker's father-in-law Geyles Corey said in John Procter's house that Parker fell off his horse and had to be helped along.

Benjamin Procter testified that Parker was so drunk in Salem that he could not go by his oxen, etc.

John Procter,† aged about forty years, and Benjamin (his mark) Procter, aged about eighteen years, deposed that making hay in their meadow near Corey's house, they went into Corey's house at noon to smoke a pipe of tobacco. They heard Mary Cory call the wife of John Pudney vile names, etc.

John Moulton, aged about twenty-five years, deposed concerning John Parker's swearing.

Martha Bates, aged about twenty-nine years, and Mary Moulton, aged about twenty-six years deposed.

George Lockhartt,† aged about twenty-one years, and Benjamin (his mark) Procter, aged about eighteen years, deposed that when there was a contest

† Autograph.

between Giles Corrie and Robert Pease, jr., about a pair of fetters, John Parker said he went to Weanum and lost the fetters from his mare's neck. Later the fetters were found and Parker confessed that he sold them to Goodman Wooder of Wenum.

Michell Combs, aged forty-six years, deposed that he never heard Cory's wife swear and he had had dealings with her for about four years.

George Booth, aged thirty-seven years, and Ales, his wife, aged about thirty-seven years, deposed that they had lived near neighbors to Mary Core for four years, and she had been as civil and orderly as any of the neighbors, had been very helpful in time of need and it was out of mere prejudice that she was now molested.

John Herod, aged forty years, and Em, his wife, aged about fifty years, deposed that living neighbors to Mary Corey, for about fifteen years, and never heard her swear or rail, etc.

Anthony Needham, aged about forty-six years, and An Needham, aged about forty-four years, deposed that they had lived neighbors to Mary Cory for fifteen years, etc.

Mary Cory, wife of Giles Cory, and John Parker deposed that they saw John Glide drunk and swearing by God and he wished that the ground might open and he might sink if the cow he brought was not the cow he brought from Josiah Sudreck's.

Susanna Dutch, aged twenty-eight years, deposed that she had known Mary Cory sixteen years, etc.

Caleb More, aged about thirty years, testified at Salem that he being with his father in Virginia when he bought Mary, now wife of Gyels Cory out of a London ship, the whole ship's company gave her the character of an honest, civil woman. Neither in coming home in the ketch nor while she lived with his father or since, had he ever heard her swear, see her overtaken in drink or speak reproachfully of any of her neighbors or of anybody else. Also he never heard anybody else say such things of her.

Petition of Mary, wife of Giles Core, and of John Parker: "hauing of late ben uniustly molested by some of our neighbours to our great damage and defamation our case hauinge ben heard and Judgment giuen our innocency appearinge we ar clearly acquitted of such accusations as were uniustly layd to our charge yet notwithstandinge there doe appeare seuerall of those p sons which out of mere preiudice haue now of late endauored to bringe your sayd petitioners into further trouble by false accusations suggested agaynst them To the w^{ch} we shal make it appeare to this Honored Court when we ar called to answer to their several presentments that the cause of this our trouble doth originally arise out of mere preiudice for seuerall of their charges wherewith we ar charged ar aboue a yeare since, And we entreate this Honored Court would be pleased to take the testimonyes of our Honest neighbours in our behalfe. whither or no they can evidence that your petitioners were ever addicted to such Crimes of drunkenes swearing and lyinge as we ar now uniustly charged withal Thus hopeinge your Honours wil evidently perceiue that the accusations wherewith your petioners ar now uniustly charged withal doe proceed originally out of mere preiudice or malignant malice that you wil see iust cause to acquit us from the accusations that ar now brought before you."

Robert Pease, aged about fifty years, deposed that Coper desired him and Richard to go with him to help catch Henry Cookes horse and put him in his pound, etc. Richard Pease testified to the same.

James Browne* testified that Booth, the joiner, drank punch on the privateer, etc.

The complaint of John (his mark) Roudin, Mary (her mark) Rowdin and Danell (his mark) Polle: that Hue Jones came to his house one Sabbath day morning last Indian harvest and demanded a pair of fetters. He told him that it was not a day to come for fetters. Then Jones called deponent and his wife vile names.

Isack Read and Joane Read testified that Rowden struck Joans, etc.

*Autograph.

Thomas Chick, for using reproachful irreligious speeches and abusive carriages and actions to John Grover, was fined.*

John Parker, for being drunk, was fined on two counts.†

Mary Cory, for cursing and swearing, was fined.‡

Mary Cory, for being drunk, was fined.§

Mary Cory, for abusive speeches to or of the wife of John Pudney, was fined.||

John Parker, for pernicious lying, was admonished.¶

John Rowden, for breach of the peace by striking Hugh Joanes, was fined.**

Hugh Joanes, for abusive words and threatening John Rowden and his wife, was fined.††

Mary Coree, for cruelly beating her servant, it being not proved to be within the year, was dismissed.‡‡

George Boothe, for being drunk, was fined.§§

John Parker, for swearing and cursing, was fined.|| ||

John Glide, for being drunk and swearing, was dismissed, having been fined by Maj. Hathorne.¶¶

for two years, except once, when he touched at Road Island, at which time his wife was at Barbados, etc.

Warrant, dated Nov. 27, 1678, for apprehension of Joseph Gatchell, signed by Daniel Denison.***

*Summons, dated 24 : 8 : 1678, also to witnesses, Jon. Grover, Jon. Trask, jr., and Tho. Partor, signed by Hilliard Veren,*** cleric.

†Wit: John Gloyd, Bengaman Procter and Elizabeth Procter.

‡Presented, for taking the name of God in vain and for saying "the plage take you," and "the divill take you and allso to sware by her faith and Troth." Wit: Martha Bates, Mary Moulton and John Moulton.

§Wit: Charles Phillips, Bengaman Procter and Elezabeth Procter.

|| Wit: John Procter and Bengamen Procter.

¶ Wit: George Lockhadtt and Bengamen Procter.

**Wit: Isack Reade and his wife.

††Wit: John Roaden, Mary, his wife, and Danill Polle.

‡‡Wit: Lott Kellam and his wife, who testified that she beat her servant with a stick as big as a walking staff.

§§George Booth, the joiner, was presented for being drunk aboard the man of war. Wit: Jeames Browne and Phillip English.

||| Wit: John Moulten and Mary Glyde. Martha Bates testified.

¶¶Wit: John Parcar and his mother-in-law.

Henry Cooke, for a rescue, was dismissed.

Servants of the house were allowed 8s.

Maj. Daniell Gookin and Maj. Wm. Hathorne, Esquires, on 1 : 12 : 1678, granted administration upon the estate of William Snelling, to his relict, now the wife of Samucll Clearke, and to Mr. Edmond Batter, creditor of the estate, who were ordered to bring in an inventory to the next Salem court.

The Worshipfull Maj. Daniell Gookin and Maj. Wm. Hathorne, Esq., on 4 : 12 : 1678, granted administration to Sarah Hathorne, relict of Capt. Wm. Hathorne, upon his estate, and she was ordered to bring in an inventory to the next Salem court.*

Presentments, signed by Jeremiah Neale,† foreman, in the name of the rest of the grand jury:

Edward Berey for not living with his wife according to law. Wit: Also Flinte and Elizabeth Bartlet.

John Pearse of Gloster, for disturbing the peace and absenting himself from the public worship of God. Wit: William Sargen and Deacon Stifens.

Richard Joanes of Marbellhead, for calling Elezabeth Pow vile names. Wit: Richard Clatory and Mary Clatory.

Samucll Gatchell, for not living with his wife according to law, which is a common fame.

*Appointment of administratrix, dated Feb. 4, 1678, signed by Daniel Gookin, sr.,† assistant, and Wm. Hathorne.†

Copy made by Jno. Higginson,† Nov. 2, 1678, of the jurymen chosen by Salem, as follows: Jury of trials, Mr Elez. Hathorne, Mr. Jno. Pickring, Jno. Marston, Jos. Hucheson, Mr. Will. Hirst, William Trask and Sarj. Nath Beadle; grand jury, Nathl. Puttman, Frances Skery, Leut. Jer. Neale, Mr. Christor. Bavage, Thomas Rootts, Henr. West, Jno. Homes. Venire returned by John Norman,† constable.

Venire, dated 14 : 8 : 1678, for grand jury and trial jury men from Wenham, signed by Hilliard Veren,† for the court, and served by Samll. Kembell,† constable of Wenham, who returned the names of John Abbe for the grand jury, and William Fiske for the jury of trials.

Venire, dated 14 : 8 : 1678, for grand jury and trial jury men from Linn, signed by Hilliard Veren,† cleric, and served by Thomas Laughton,† constable of Linn, who returned the names of John Burrell, Samucll Johnson, Robert Potter and John Collins for the grand jury, and Sergt. Thomas Newhall, John Ballard, Joseph Collins and John Moore for the jury of trials, who were chosen, 4 : 9 : 1678, at a Linn town meeting.

† Autograph.

Venire, dated 14 : 8 : 1678, for Marbelhead grand jury and trial jurymen, signed by Hilliard Veren,* for the court, and served by Wm. Wood,* constable of Marbelhead, who returned the name of Jon. Deverix for the grand jury, and Samll. Morgan for the jury of trials.

Venire, dated 24 : 8 : 1678, for Beverly grand jury and trial jurymen, signed by Hilliard Veren,* for the court, and served by —, who returned the name of Samuell Balch for the jury of trials.

Summons, dated 24 : 8 : 1678, to the wife of Mathew Tailer, for her lying concerning a petticoat which upon suspicion was stolen from Peeter Woodberye, also as witnesses, Mary, wife of Ephraim Herrick, Mary, wife of John Herrick, Sarah, wife of Jon. Dodge, sr., Jon. Sampson and Peeter Woodbery, signed by Hilliard Veren,* cleric. Mathew Tailer's wife had gone out of town.†

Robert Lord, marshal, and Abraham Perkins deposed that they heard John Backer, jr., say that he had prayed for said Lord but "the divell will have him for all that." Also that Lord said that Baker said that "Bruer and Warner were damd toads and that the divell would have them." Sworn, 6 : 9 : 1678, in Ipswich court.

Thomas Waite, sr., deposed that meeting with John Baker, jr., between the meeting house and Mr. Willson's, and from his words apprehend that he was much overcome with drink. Sworn, 6 : 9 : 1678, in Ipswich court.

Writ: Tobias Carter v. Simon Rumeree; debt; dated Oct. 12, 1678: signed by Hilliard Veren,* for the court; and served by Thomas [Searle], constable of Salem. Bond of John Price.*

Writ: Hugh March v. Moses Bennet; debt; dated, Boston, 24 : 8 : 1678; signed by Ephraim Turner,* for the court; and served by Samuell Leach,* constable of Manchester.

Bond for appearance, dated Nov. 15, 1678, given by William (his mark) Bennet and his son, Moses Bennet,* of Manchester. Wit: Thomas West* and Samuel (his mark) Leach.

Approbation of the selectmen of Lyn, of Theophilus Bayley, for license to keep a public house of entertainment, as a man who never suffers disorders in his house, signed by Thomas Laughton,* Rich. Walker,* Ralph King,* Andrew Mansfield,* Nathanill Kertland,* John Burrall* and William Bassett.*

Approbation of the selectmen of Marblehead, of Mr. Christopher Lattimore, Ensign Norman and Mr. Thaddeus Reddin, for licenses to keep a public house of entertainment; also of Mr. Moses Mavericke, Mr. Ambros Galle and Mr. John Legg, who furnish fishermen, with necessities, as retailers of rum and other strong liquors, and that no others be allowed, as the "vice of excessive drinking growing up too fast amongst us may be

· *Autograph.

†Autograph and seal.

redused," signed by Christopher Lattermor, Ambros Galle, Robert Bartlet and John Merrett, selectmen.

Return, dated Oct. 18, 1678, of Ambros Geall,* Richard Norman,* James Dennes,* William Pancher,* Robert Roales,* Elias Hendly,* Phi. Parsons,* Richard Reed,* Tho. Sowden,* Christo. Huckestable,* Samucl Sanden,* and Walter Adams,* a jury of inquest warned by William Wood,* constable of Marblehead, upon the body of Edward Vinton,* who fell out of a fishing shallop in Marblehead harbor and was drowned on Oct. 3, that he was accidentally drowned and remaining in the water so long was much eaten by the fishes.

Resolved White,* Edward Beachum,* George Jacob,* John Tomkens,* Manaseth Marston,* Peeter Cayes,* Andrew Alger,* Edward Flint,* Henry West,* John Pease,* Robert Wilson,* and John Cook, impressed by constable Jno. Norman of Salem, as a jury of inquest, upon the body of a man who was drowned in the North river, a servant of Thomas Moulds, returned May 2, 1678, that there were no outward wounds and water was the cause of his death.

"S^r According to your order I with the rest of the men whose names are under writtne have searcht the Body of one Called Edward Bodge: I made Incision upon the parte of his Body which was most Suspitious which was upon the Temporall musile: I layd the Bones Bare: wee could nott find any fracture in the least nether was the flesh in any wise corrupt or putrified. Marblehead, octob^r 31th, 1678." Richd. Knott,* Chir., and Christopher Lattimor, Ambros Gall, Robert Bartlett and John Merrett.

Execution, dated 5 : 7 : 1678, against Andrew Peeters, to satisfy judgment granted Samucl Chapman, 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 13 : 10 : 1678, against Daniell Johnson and John Davis, administrators of the estate of George Coale, to satisfy judgment granted John Proctor, 28 : 9 : 1676, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 28 : 1 : 1679, against James Pitman, to satisfy judgment granted Thomas Hoare, 26 : 9 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 18 : 10 : 1678, against John Griffin, to satisfy judgment granted Mr. Thomas Woodbridge, 26 : 9 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 11 : 9 : 1678, against William Hoare and his wife, Jonah Jonson and his wife and Samucl Haris and

* Autograph.

his wife, to satisfy judgment granted John Black, constable of Beverly, 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* for the court, and served by Henry Skerry,* marshal of Salem.

Execution, dated Mar. 5, 1678-9, against William Dounton, to satisfy judgment granted Mr. Phillip Cromwell, 26 : 9 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 24 : 10 : 1678, against Edward Winter, to satisfy judgment granted Mr. Edmund Batter, 29 : 11 : 1677, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by delivering said Winter in person to Batter who was to have him for five years, keeping one-third part of his earnings, the other two-thirds Winter was to have for his family, or if he paid before the five years expired, he was to be freed.

Execution, dated 10 : 2 : 1678, against John Blany, to satisfy judgment granted Mr. Raulph King, 27 : 9 : 1677, at Salem court, signed by Hilliard Veren,* for the court, and served by Henry Skerry,* marshal of Salem.

Execution, dated 2 : 5 : 1678, against Capt. Thomas Fisk, to satisfy judgment granted Mr. William Browne, sr., 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* for the court, and served by Henry Skerry,* marshal of Salem. William Browne,* on July 2, 1678, gave power to Walter Fairfield to receive it for him.

Execution, dated Feb. 24, 1678, against John Griffen, to satisfy judgment granted Edmond Bridges, as attorney, to Mr. John Ruck, Mr. Bartholmew Gedney, Leift. John Higginson and George Deane, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who attached land of Griffin in the middle of his lot, his orchard having been committed to feoffees in trust for his wife, part of which land was next to Kimboll's, and delivered it by turf and twig to John Ruck & Co.

Execution, dated 2 : 5 : 1678, against Abraham Allen, to satisfy judgment granted Ambross Gale, 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* for the court. John Legg* and Thomas Pitman* appraised an old house and some ground around it, with the cow's lease, at 13li.

Execution, dated 29 : 4 : 1678, against William Chub to satisfy judgment granted — Herrick, at Salem court, in corn or cattle or ten weeks' service, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated 29 : 4 : 1678, against Richard Rowland, to satisfy judgment granted Jeremiah Neale and Edward Flint, attorneys of Jonathan Hart, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

. * Autograph.

Execution, dated July 4, 1678, against Daniell Turill, jr., to satisfy judgment granted Mr. Hilliard Veren, attorney of Edward Merryweather, haberdasher, in London, June 25, 1678, at Salem court, signed by Hilliard Veren,* for the court, and served by Henry Skerry,* marshal of Salem.

Execution, dated 29 : 4 : 1678, against Clement Grosse, to satisfy judgment granted Capt. Paule White, 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of land in Boston next to one Plumer, and delivered it to Mr. Joseph Tapping, for Capt. White of Newbury, by order of Mr. Robard Verren, jr. The land was appraised by Mr. Simeon Stodder and Mr. Thomas Baker, merchants.

Execution, dated 29 : 4 : 1678, against John Blany, to satisfy judgment granted Siprian Steephens, attorney of Henry Willard, 25 : 4 : 1678, at Salem, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of salt marsh.

Execution, dated 29 : 4 : 1678, against Hugh March, to satisfy judgment granted Edward Smith, 25 : 4 : 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Robert Lord,* deputy for Henry Skerry,* marshal of Salem.

Execution, dated July 1, 1678, against John Blaney, to satisfy judgment granted Phillip Welch, June 25, 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of salt marsh in Lynn meadows.

Execution, dated July 9, 1678, against Mr. John Wincoll, to satisfy judgment granted Capt. John Price and Mrs. Elizabeth Price, executors of the will of Capt. Walter Price, June 25, 1678, at Salem court, signed by Hilliard Veren,* cleric, and served by John Robearts,* marshal of Dover, deputy for Henry Skerry,* marshal of Salem, by attachment of land of Capt. Wincoll in Kittery above Salmon Falls.

Return of persons in Salem who took the oath of fidelity:

Will. Dounton's ward: Ruben Goopy, sr., John Goopy, the tailor, Thomas Ollever, John Roops, carpenter, Samuel Roops, carpenter, Simon Horn, kordwinder, Josuf Horn, kordwinder, Gorg Inggerson, carpenter, Isaac Williams, kordwinder, Johnathan Princ, kordwinder, Gorg Peel, tailer, Will. Andros, merchant, John Leach, husbandman, Daniel Bacon, — Nowell, Will. Ropes, ship carpenter. Ezekiel Chever, Jno. Harinton, Henry Higginson, Rob. Gray, Samuel Bedle, Rob. Sallows, Mister Mackmallion, Jno. Baxtor, Jno. Glovear. Mr. Neale took not ye oath.

Robert Follit's* ward: Gilbert Tapley, shorman, Thomas Rose, shorman, Ezekiel Waters, William Punchird, Arther Wormstall, Walter Mare, Christopher Hops, Clement English.

* Autograph.

Daniel Bakon and Robert Nowell, 18 : 1 : 1677-8, took the oath of fidelity.

Warned by Henry West to appear 4 : 1 : 1677-8, before Worshipful Major Hathorne: William Pinson, Wm. Longstaff, Richd. Maibey, Morgan Jones, Tho. Feild, Peter Strike, Wm. Lake, Jno. Milke, Andrew Auger, Edw. Norrice, sr., Edw. Norrice, jr., George Booth, Samll. Shattock, jr., Samuel Buckman, Hiliard Veren, jr., Stephen Sewall.

Christopher Babbidge's ward: George Ingerson, shoreman, John Ingerson, carpenter, Joseph Ingerson, carpenter, Samuel Ingerson, carpenter, Edward Berry, weaver, Francis Collins, carpenter, John Earththy, seaman, Jno. Elson, fisherman.

Mr. Resolved White's ward: Edw. Winter, fisherman, Alter Hewes, labourer, Thom. Veley, labourer, Edw. Whornton, glacyer, Quaker, James Browne, glacyer, George Emery, chirurgeon, Jno. Bligh, laborer, Thom. Clarke, taylour, Philip Veren, shoemaker, Willm. Lord, labourer, John Darling, taylour, Mathew Clark, Wm. Hollis.

Joseph Boyes, sr., Josia Southicke, sr., Josia Southicke, jr., John Hill, Samuel Aborn, jr., John Lomes, sr., John Lomes, jr., Bengemen Woodro, Joseph Boyse, William Traske, John Traske, John Benet, John Smith, John Blithen, John Mackshane, Danell Southicke, Jeremiah Watts, Henery Traske, Samuel Nurce, Jems Mils, William Rendall, Alexander Frisel, Samuel Gaskill, Rich. Tree, Umfori Cave.

Nathaniel Felton, sr.'s,* ward, who were to appear on Mar. 25, 1678: Robert Pease, sr., John Pease, sr., Daniel Roff, John Pease, jr., Levi Preston, Robt. Pease, jr., John Longle, Richard Tree, John Tarbel, Thomas Howard, Samll. Nurse, Nicholas Duel, John Felton, Thomas Preston, Isacke Cooke, Simon Rumrel, Henery Cooke, Willyam Osburne, John Burton, sr., John Burton, jr., Samuel Aburne, sr., Moses Aburne, Francis Nurse, sr., John Nurse, Francis Nurse, jr., Hugh Jones, Anthony Buxton, Samuel Marsh, Joseph Woodrow, John Rowden, Daniel Poole, Nathaniel Felton, jr., Benjamin Skarlot.

Warned to appear Mar. 25, 1678, to take the oath of allegiance to His Majesty and fidelity to the country: John Foster, sr., John Foster, jr., Samuel Foster, John Waters, John Tomkins, jr., George Jacobs, Thomas Brocket, Edward Beacham, John Smal, Steven Smal, James Symonds, Josia White, John Tomkins, sr.

Goodman Goulthrite's ward: Jno. Procter, Eleazer Gyels, Jno. Gyels, Saml. Verey, sr., Saml. Verey, jr.,† Tho. Verey,† Jonathan Verey,† Jno. Verey,† Samll. Stacy,† Jno. Stacy,† Jno. Stacy,† Isack Meacham, Jeremh. Meachem, Nath. Carrill,† Samuel Frail, Will. Shaw,† Mihil Shafin, Timothy Allin, Adam Gold,† Thomas Buffington, Charls Philips, Thom.

. * Autograph.

† Crossed out in original.

Cooper,* Philip Locyer,* Jno. King, sr., Samll. Goillthrite, Joseph Sibley, Richd. Bates,* Henery Stacy, William Russell, John King, jr.

Persons in Newbury who took the oath of allegiance, 1678, with their ages: John Emery, jr., aged 51, Jonathan Emery, 27, Israel Webster, 35, Wm. Bolton, 48, Abraham Merrill, 41, Joseph Wheeler, 16, Wm. Longfellow, 27, Jacob Topan, 31, John Sewall, 24, Francis Browne, 46, James Smith, 33, John Emery, sr., 80, James Ordoway, 60, John Topan, 28, Isaac Ilsley, 26, Rich. Bartlett, jr., 30, John Bartlett, jr., 23, Tho. Bartlett, 25, Joseph Knight, 26, Sam. Sayer, 29, Steph. Greenleaf, jr., 26, Jam. Ordoway, jr., 26, John Ordoway, 20, John Bayly, 65, Isaac Bayly, 24, Ephraim Plummer, 24, John Emery, 22, Tho. Halle, jr., 45, Hen. Short, 26, Joseph Bayly, 30, Mathew Petingall, 30, Joseph Little, 25, Sam. Poore, sr., 55, Sam. Poore, jr., 25, John Poore, sr., 63, Jerem. Davis, 28, Nich. Rawlins, 32, John Davis, 30, Edward Poore, 23, James Carr, 25, Joshua Bayly, 20, Cornelius Davis, 25, Cutting Noyes, 29, Wm. Isesley, jr., 28, Silvanus Plummer, 20, Zech. Davis, 29, Rich. Dummer, jr., 28, Moses Geerish, 23, Joseph Poore, 24, Edward Moores, sr., 64, Rich. Woollworth, 30, Nath. Brickett 29, Nathan Parker, 28, Nath. Aires, 22, Abiel Long, 29, Shubael Long, 17, Wm. Worham, 26, Tristram Coffin, 47, Wm. Chandler, 62, John Badger, 36, Christopher Bartlett, jr., 23, Rich Lowle, 76, Tho. Woodbridge, 29, Caleb Moody, 41, Jonathan Wheeler, 20, Nathan Wheeler, 18, Hugh March, jr., 22, Ephraim Davis, 23, John Herricks, 28, Joshua Woodman, 41, John Rolfe, 18, Tho. Lowle, 27, Jonathan Woodman, 35, Curmac Annis, 40, Edmund Marshall, 29, Joseph Poore, 17, James Burrell, 21, Percivall Lowle, 40, Robt. Coker, 72, Hen. Sewall, 66, John Webster, sr., 46, John Webster, jr., 22, Dan. Lunt, 36, John Atkinson, 44, John Halle, sr., 42, Wm. Randall, 65, Joseph Richardson, 23, Ben. Lowle, 37, Tho. Halle, sr., 74, Anth. Morse, 72, Joseph Coker, 38, Joseph Dole, 22, Francis Willett, 43, Joseph Moring, 22, Hen. Jaques, 60, John Scolly, 37, Tho. Follinsby, 41, Joseph Mirick, 18, John Richardson, cler., 31, Daniel Perse, 40, Tho. Noyes, 30, John Woollcott, sr., 45, John Woollcott, jr., 18, Sam. Pettingall, 33, John Granger, 24, Wm. Noyes, 25, Andrew Godfry, 22, Henry Somersby, 16, James Brading, 16, Edward Woodman, jr., 50, Walter Taylor, 55, Wm. Morse, 64, Rich. Petingall, 60, Tho. Rogers, 26, Tho. Browne, 72, Benajah Titcomb, 25, Benjamin Coker, 26, Gerge Major, 31, Francis Thurley, 48, Anth. Somersby, 68, Abel Hewes, 74, Wm. Sayer, 65, Peter Godfry, 48, Rich. Bartlett, sr., 57, John Bartlett, sr., 65, John Bartlett, jr., 39, Daniel Massiloway, 33, Hugh Pike, 21, Edward Richardson, 39, Tho. Titcomb, 17, Tho. Silver, jr., 20, Nathaneel

* Crossed out in original.

Merrill, 40, Peniel Titcomb, 27, Augustine Studman, 40, Joseph Ilesley, 27, Richard Jaques, 22, Steph. Jaques, 17, John Firman, 31, James Coffin, 19, Increase Pilsbury, 18, Archelaus Woodman, 60, Peter Topan, 44, Edward Richardson, sr., 61, Joshua Richardson, 28, Ben. Richardson, 18, John Swett, 30, John Decker, 32, Tho. Silver, sr., 56, James Jackman, jr., 22, Richard Jackman, 19, John Mighill, 42, Daniel Merrill, 34, Abel Merrill, 32, Joseph Downer, 40, Joshua Browne, 36, John Knight, 30, Robt. Beedle, 36, Rich. Browne, 27, Joseph Pike, 39, Dan. Thurston, 40, Sam. Bartlett, 32, Henry Poore, 26, Henry Bodwell, 24, Ebenezer Hills, 19, Jonathan Moores, 32, James Davis, 20, George Hardy, 17, Elisha Isesley, 30, Dan. Thurston, jr., 17, John Poore, jr., 36, Aquila Chase, 26, John Chase, 23, Joseph Goodridge, 39, Edmund Moores, jr., 27, Dan. Cheney, 43, Wm. Mitchell, 24, John Hoeg, 35, Steph. Swett, 58, Benj. Goodridge, 36, George March, 32, John Steevens, 30, Job Pilsbury, 35, Caleb Pilsbury, 24, Abel Pilsbury, 26, Daniel Chase, 16, David Chily, 28, Hen. Lucas, 18, Benj. Morse, 37, Robt. Adams, 77, Tho. Chase, 24, Wm. Pilsbury, jr., 22, Jerem. Goodridge, 42, John Kent, jr., 34, John Tucker, 28, Abraham Adams, 37, John Mitchell, 28, Sam. Plummer, 60, Isaac Adams, 33, Jacob Adams, 23, Richard Knight, 77, Hugh March, sr., 56, John Kent, sr., 37, Joshua Bointon, 30, John Huggins, 26, Wm. Danford, 30, Sam. Younglove, 40, Robt. Robinson, 40, Benj. Plummer, 22, Joseph Plummer, jr., 23, Tho. Halle, 19, James Freezes, 37, Joseph Muzzy, 50, James Jackman, sr., 60, Hen. Acres, 26, James Noyes, 21, Wm. Moody, 17, Joseph Morse, 40, John Guile, 23, George Perse, 17, John Halle, jr., 17, Daniel Moody, 17, Robt. Long, 58, John Smith, 31, John Thurley, 19, Jonathan Thurley, 17, John Noyes, 33, Moses Little, 21, Nath. Cheney, 31, John Glading, 37, Wm. Pilsbury, 73, Wm. Ilesley, sr., 70, Steph. Greenleafe, sr., 50, Benj. Rolfe, 40, Tho. Thurley, 47, Peter Cheney, 39.

Persons in Ipswich who took the oath of allegiance, 1678: Mr. Daniell Epps, sr., Mr. Joseph Epps, Linell Epps, Simond Epps, Edward Pipto, John Dentt, John Graves, Frances Graves, — Perkins, Nathaniell Emerson, sr., Nath. Emerson, jr., Thoms. Emorson, Nathaniell Wells, Richerd Bedford, Amos Gorden, Edword Bager, Larone Clenton, John Ring, Richerd Briant, Thomas Bray, Isack Fellows, Samll. Fellows, John Smith, sr., Jno. Smith, jr., Henery Benit, Will. Benit, Steven Benit, Jno. Bridg, Robert Marttin, Andrew Borly, Jno. Wooden, Ensign Bornam, Joseph Bornam, Major Appleton, Jno. Worth, Jams Foller, Daniell Ring, Joeph Foller, Thomas Foller, Abraham Fitt, sr., Abraham Fitt, jr., Jno. Borly, Simond Wood, William Lambert, Jno. Honkins, Jno. Lee, Joseph Lee, Esaias Wood, Samll. Wood, Nickoles Shavalle, Thomas Haywerd, Isack Ringe, Docktor Dane, Phelemon Dane, Uzell Wardwell, Daniell Hovy, jr., Thomas Borman,

William Chapman, Daniell Hovy, sr., Nathanill Hovy, Jno. Wood, Arthor Abbit, Peter Loruer, Robert Cross, Thomas Peren, Nathaniell Foller, Jno. Barns, Samuell Hont, sr., Samll. Hont, jr., Thoms. Bornam, Mr. Jno. Hobbert, Mr. Thomas Andrus, Jonas Gregory, Samuell Eires, sr., Samll. Eires, jr., Anthony Potter, Jno. Potter, Edmond Potter, Samll. Potter, Decon Good —, Thomas Sp — k, Thomas F — wether, Mr. Jonathan Wade, Mr. Thomas Wade, Roger Skot, Jno. Grove, Jno. Sheren, Mr. Jno. Rogers, Mr. Nathaniell Rogers, Cornelios Genele, Abraham Tilton, Jno. Loueren, Thomas Knoulton, Samll. Yonson, sr., Joseph Yonglove, Shereborne Willson, Elihu Wardwell, Richard Tuells, William Baker, Nathaniell Rust, Corp. John Andous, Thom. Andrus, Joseph Andrus, Robard Nelson, Thomas Atwood, Samuel Greffin, Thom Marshal, jr., Joseph Marshal, Rechard Loe, Crestfor Tempel, John Giddens, Joseph Giddens, Samuel Giddins, Joseph Procktor, Bengaman Procktor, Henry Gold, Jams Whitt, Wilem Whitt.

"Names of thos Inhabitants of Lyn which tooke the Oath of Allegance to the Kinge," 1678: Mr. Samuell Whitinge, Mr. Joseph Whitinge, Mr. Thomas Laughton, Capt. Walker, Mr. Ralph Kinge, William Craufts, Samuell Cobbett, Francis Burrill, Joseph Burrill, Henry Stacy, Moses Chadwell, Allen Bread, sr., Allen Bread, jr., Timothy Bread, Joseph Bread, Allen Bread, son to Allen Bread, jr., Joseph Hall, Nathaniell Bullard, Jacob Knight, Mathew Farrington, jr., Daniell Needham, John Tarbox, Nathaniell Handforth, John Ballard, Thomas Ivory, Theophylus Bayley, Robert Driver, John Davis, Eliezer Lynsey, John Coates, Samuell Johnson, John Collins, jr., Daniell Johnson, John Lynsey, Crispus Brewer, Thomas Brewer, Thomas Farrer, sr., Thomas Farrer, jr., Richard Richardson, Richard Hud, jr., William Bassett, jr., John Lewis, jr., John Ingolls, Robert Ingolls, sr., Robert Ingolls, jr., Nathaniell Ingolls, Samuell Ingolls, Benjamin Ierson, Henry Silsbey, Ephraim Silsbey, Jonathan Silsbey, Samuell Silsbey, Henry Collins, sr., Henry Collins, jr., Henry Collins, son to Henry Collins, jr., Benjamin Collins, John Collins, Michael Lambart, Benjamin Rednap, Samuell Penfeild, Daniell Salmon, Richard Cowduck, William Bassett, sr., John Lewis, sr., Ezekell Needham, John Blayno, jr., Thomas Beale, Michael Homar, Joseph Clarke, Darbey Manninge, Benjamin Farr, Mathias Farnworth, Nickolus Huchins, John Richards, John Blayno, sr., George Oakes, jr., Francis Wonright, Walter Phillips, sr., John Phillips, Walter Phillips, jr., Samuell Pike, Thomas Purchiss, Oliver Elkins, John Dolley, Thomas Haines, Robert Haines, John Besso, Thomas Elkins, Samuell Tarbox, Hugh Alley, Domingo White, Samuell Laughton, William Markes, Joseph Collins, Thomas Graves, sr., Thomas Graves, jr., Marke Graves, Samuell Graves, William Smith, Robert Coats, sr.,

Robert Coats, jr., Charles Gott, Abraham Roberts, James Mills, Griffen Harris, John Alley, Robert Rand, sr., Robert Rand, jr., Zacharias Rand, Samuell Bly, Thomas Laughton, jr., constable.

Order, dated July 11, 1678, of the town [of Ipswich?] in relation to the sheep kept at Jaferye's neck by Goodman Caldwell, the shepherd, etc.

William Hogsscine* petitioned the town of Ipswich, Feb. 9, 1677, for a "letle eyland butting against Mister paines eyland which hath a letle marsh about it that is cut every year by one or other that hast letle or no ned of it if the toune would be pleased to grant me the cutting of it I would ingage to burne all the marsh about the neck," etc.

Susanah Topan, aged about seventy-four years, testified that her sister Elizabeth Lowle lived in her house before her death and died there. She had but two beds, and Mr. George Emory, the doctor of Salem, had the best bed and bolster and bedding and goods to the value of 10li. for his services. Deponent's husband Abraham Toppan had the other bed for their trouble when she was sick. As for the down bed mentioned by Goody Godfry in her testimony, it belonged to deponent. Margaret Lowle, aged about seventy-four years, deposed the same. Sworn, Nov. 23, 1678, before Jo. Woodbridge,* commissioner.

John Lee's bill of cost against John Gifford, 15s. 3d.

List of names including Sam. Tayler, Samuell Fellowes, Isack Fellowes, Shoreborne Willson, Roberte Crosse, John Bayer, Moses and Aren Pengry, Samuell Ayers, jr., John Cogswell, Samuell Moses, Goodman Hodgins, Benjamin Prockter, Tho. Lull, John Dane, sr., Tho. Claerke, sr., John Dutch, William Goodhew, jr.,

Nathaniell Brickett, aged about twenty-five years, deposed that at Mr. Thomas Woodbridge's house, he heard Samwell Lowell say to Benjamin Lowell that he would swear in the action "so as to do his business for him." Sworn, Nov. 15, 1678, before Jo. Woodbridge,* commissioner.

Copy of Ipswich town record concerning the piney land.† The duck pond and wigwam mentioned. Also Mr. Epps and Robert Lord.

List of names: Mr. Epps, Jo. Burnam, sr., Joseph Safford, Nicolas Wallis, Tho. French, John Newmarsh, Tristram Coffin.

List of names, dated 1678: Joseph Porter, Joseph Holten, sr., Daniel Andrew, Daniel Rea, Jeremiah Watts, Joseph Hericke, Thomas Rament, Edward Bishope, Samuell Brailbroocke, Nathanill Ingersolle, John —, John Procter, Ben. Procter, John Glide, John Knight, John Baites, Micall Shafin, Thomas Buffenton, Thomas Goldthitte, Thomas [C?]ooper, Philip

* Autograph.

† This paper is badly torn.

COURT HELD AT IPSWICH, APR. 1, 1679.

Judges: Major Genrll. Denison, Esq., Major Hathorne, Esq., Mr. John Woodbridge and Mr. Wm. Browne.

Loshe, Samuell Goldthitte, Francis Nurse, sr., William Russell, John Leach, carpenter, Thomas Flint, Joseph Pope, Ben. Pope, Gorge Flinte, Thomas Haines, John Buckston and his man, Micall Derich, Thomas Weste, John Shepard, Daniell Andrew's man, Jos. Sibly, Jon. Verry, Jos. Neale, Wm. Flint, And. Auger, Abr. Pease, Jon. King, jr., Jesper Swinerton, Samll. Endecott, Jacob Fuller, —, Read, Levy Preston, Frances Nurss, Jon. Davis, Hen. Cook, Jon. Slather, Mr. Jon. Endecot, Alexis Renoll, Jos. Benitt.* Leaftenant Thomas Puttnam, Leaftenant John Puttnam, Sargent Thomas Fuller, Sargent Job Swinerton, Sargent Jonathan Wallcott, Richard Hucheson, Joseph Huchison, Nathaniel Puttnam, John Puttnam, Thomas Puttnam, jr., Edward Puttnam, Jonathan Puttnam, James Puttnam, James Smith, Henery Keney, John Keney, Thomas Keny, Alexander Osburn, Joseph Magery, Henery Bragge, Thomas Furman, Frances Geffard, John Barowes, John Adames, John Agerton, Will. Sibly, Sam. Sibly, Joseph Woodrow, Ben. Woodrow, Benjamin Holton, Joseph Holten, jr., John Longly, Nicolas Dewell, who was Cromwell's man, Simon Johnson's man Rumery, Bray Willkins, Sam. Willkins, Thom. Wilkins, Henry Willkins, Benjamin Willkins, Aron Way, John Gingell, William Way, Thomas Fuller, Sam. Fuller, Ben. Fuller, John Sutherick, Jonathan Knight, Peter Priscott, old Benett, Isak Goodall, Zacry Goodall, Lott Cilam.

Isrell Webster deposed that being at Mr. Thomas's house one evening with many others, some called to Mr. Thomas but he would not salute. Some said he was in the house and some said he was not. Mrs. Thomas said, "hee is fast enough in his corner I will warant an old knave: it would bee a Good Deed to pull him out by the Ears." Sworn before Daniel Denison.†

"louing Father lord & mother this is (after my Duty to you) to Intreat you to Giue John Webster of Newbure credett six shilings & charg it to the account of your Dutifull sone June y^e 28: 1678. Joseph Willson."†

Edward Chapman died Apr. 18, 1678. Copied from the Ipswich deaths by Robert Lord,† recorder.

"My Mothers testimony my father was not at home and in y^e night mother heerd him come in and come to her bed talking with her to perswade her to rise she could not tell who it was and was afraid to call to him. dina would not rise and then he rose up and went awaie," etc. Hannah Rolfe testified

* Autograph and seal.

† Autograph.

Jury of trials: Mr. Wm. Symonds, Corpll. Jo. Whipple, Symon Stace, Robert Kinsman, John Brewer, John Addams, Nathaniell Clarke, Joseph Plumer, James Smith, Leonard Hariman, Ezekill Jewett and Georg Abbott.

John Sewall, Charles Annis and John Pengilla took the freemen's oath.

Ens. John Gould and Michael Dunill v. Joseph Bixbe. Trespass. Verdict for defendant.*

that he brought a bottle of liquor. Hanna Whicer testified.

Fragment of a sermon.

*Writ, dated Mar. 12, 1678-9, signed by Robert Lord,† for the court, and served by John How,† deputy for Robert Lord,† marshal of Salem, by attachment of house and land of defendant.

Copy of papers in a similar action, 29 : 9 : 1670, in Salem court.

Jacob Town and Isack Easty deposed that they went with Goodman Bigsbe to the twenty-fifth lot by record and he cut down some small sticks, challenging the land which was in the possession of Micall Donill. Sworn in court.

Francis Pebody and John Welds testified that being chosen by the town to lay out the common on the south side of Ipswich river according to town order in 1661 and 1664, they laid out the land in controversy to Edmund Bridges. Sworn in court.

John How testified that Ensign Gould took possession of the 25th lot when possession was given, etc. Sworn in court.

Danell Black testified that in 1661, he bought "my Brother edmon bridges house and Lande in topsfeld upone his reamou-fell to weennome wheare hee remained aboute 1 yeere in which yeere tyme the towne entred Danell Blacke a Commener and Filed him down a shearer in the Commen land that wase to bee diuided upone the southe side of the rivefer in topsfeld." John How affirmed the same. Sworn in court.

Isacke Easte and Jacob Towne testified. Sworn in court.

Copy from the town records of Topsfield, made Mar. 31, 1678-9, by Frances Pabody:† "At a Lawful Towne meeting the 7 : of march 1664 It was then agreed that all the Comoners in the Towne || shall || haue share in y^e Common on y^e other side of y^e Reiuer with the Timber which is to bee deuided according to the rule as is expressd namely that they all those which pay to y^e ministers Rate made in y^e yeare 1664 from fifty shilings and upward shall haue one of y^e Greaters shares and fifty shilings to twenty shall haue a middell

† Autograph.

share and under twenty shilings, shall haue one of the Least shares. Now these are the Names of those men that ware then Rated that yeare 1664 and there seuerall somes as thay are in that Rate and Right in this Land: Zacheus & John Gould, 4li. 3s. 5d.; Mr. Tho. Baker, 3li. 17s. 5d.; Daniell Clarke, 1li. 4s. 5d.; Tho. Dorman, sr., 3li. 3s.; Francis Pebody, 4li. 5s. 2d.; Deckon Hovey, 1li. 3s. 8d.; Will. Evenes, 2li. 11s.; Isacke Cominges, sr., 13s. 8d.; Isacke Comings, jr., 1li. 8s.; Ensigne Howlett, 1li. 8s. 9d.; Anthony Carell, 11s. 1d.; Tho. Perkins, 2li. 19s. 7d.; Tho. Browing, 1li. 6s.; Tho. Auerell & Tho. Hobes on mr. Bradstreet land, 1li. 3s.; John Redington, 3li. 5s. 2d.; John Wilds, 1li. 12s. 10d.; Will. Smith, 13s. 8d.; Edmond Bridges, 15s. 3d.; Jacob Townes, 1li. 4s. 5d.; Isacke Estey, 19s. 6d.; Will. Townes and Joseph Townes, 1li. 8s. 5d.; Edmond Townes, 1li. 8s. 9d.; Mathu Standly, 15s. 8d.; Will. Nickles, 1li. 12s. 9d.; Mr. Will. Perkins, 2li. 3s. 9d.; Mr. Endickot, 1li. 2s.; John How, 19s.; Robard Andraus, 12s.; Francis Bates, 9s.

Copy from the town records of Topsfeeld, made Mar. 14, 1678-9, by Frances Pabody,* clerk: "It is ordered and hereby they are Impowered to lay out fue hun[dred] acres of land on the other side of the riuer to remaine common to perpetueyty for the use of the inhabitants prouided none of it be medow land voted

"It is furdur ordered y^t the aforesaid fue hundred acres of land is slated to the Inhabitants of y^e Towne excepting Ensigne Howlet as one to haue a share in the said — notwithstanding any former order voted

"It is also ordered and hereby the said selectmen are impowered to deuide the other part of the common both medow & upland on the other side of y^e riuer into thre equall deuisions Voted

"The names of the commoners that shall share in it: Mr. Bradstreet, Mr. Perkins, Zacheus Gould, Mr. Baker, Thomas Borman, Frances Pabody, Willi. Evens, Daniel Clark, Isac Comings, sr., Isac Comings, jr., Ensigne Houlet, Willi. Smith, Frances Bates, Mr. Endicoate, John Wiles, John Redington, Tho. Perkins, Thom. Browning, Jacob Towne, Isaac Estey, Willi. Towne, Edmond Towne, Matthew Standly, Anthony Carell, John How, Edmond Bredges, Useltons Lot, Lumpkins farme, Robert Andrews land, Willi. Nicholes Voted."

Copy of deed, dated Feb. 3, 1669, given by Edmond Bridges and Sarah, his wife, of Salem, to Mr. John Rucke of Salem, vintner, and Joseph Bigsbe of Rouly Villidge, carpenter, two parcels of land of 20 acres each, in Topsfeilde, one in the first division, the twenty-fifth lot, lying near Wheele brook,

* Autograph.

Henry Jaquis v. Henry Ellis. Verdict for defendant.*

Selectmen of Andover v. Rich. Sutton. Verdict for defendant.

Benjamin Lowle v. Richard Lowle of Newbury and Capt. Will. Gerrish of Boston. Verdict for plaintiff. The defendant was to give an account or true inventory of the estate of Elizabeth Lowle, which the latter had received of Mrs. An Miller, 12 : 10 : 1654, to the next Salem court or to pay the plaintiff 155li. Tristram Coffin, the attorney, appealed to the next Court of Assistants. Tristram Coffin, attorney,

between Francis Payebody and John House lot; the other the ninth lot in the second division, of which Sticky meadow is a part, between Ensigne Howlett and John House lot. Wit: John Norman and Edward Flint. Acknowledged, 11 : 4 : 1670, before William Hathorne, assistant. Recorded, 12 : 4 : 1670, by Hilliard Veren,† recorder. Copy made by Benja. Gerrish,† cleric. Verified by Steph. Sewall,† clerk.

Copy of the return of the committee to a Topsfield town meeting 11 : 3 : 1669, appointed to lay out land, made by Frances Pabody,† clerk.

Deed,|| dated Dec. 9, 1670, Edmond Bridges§ to John Gould, witnessed by Walter Fayerfield† and Thomas White.†

*Writ: Henry Jaques of Newberry v. Henry Ellis of Boston; for detaining payment for the building of his house; dated Feb. 17, 1678; signed by Jo. Woodbridge,† commissioner; and served by Returne Waite,† deputy marshal of Boston by attachment of dwelling house and land of defendant.

Richard Jaquist, aged twenty-one years, deposed that five or six years since, his father built a house for Henry Ellis at Boston near Mr. Atkison's house and made two great windows in the front of the house, also a gable end in the front and covered all the outside of the house with clapboards and shingles. They laid all the floors, made two flights of stairs, a closet in the chamber, with partitions to the rooms and doors to the same. In the summer his father raised the frame and the house was finished before the winter set in, so that the masons did not have to wait for their work. They also furnished windows for every room. Sworn, Mar. 31, 1671, before Jo. Woodbridge,† commissioner.

John Atkinson, aged about forty-three years, deposed that Ellis' wife lived in the house, etc. Sworn, Apr. 1, 1679, before Jo. Woodbridge,† commissioner.

† Autograph. § Autograph and seal. || See *ante*, vol. IV, p. 294, for copy of deed.

with John Hale and John Webster, sr., as sureties were bound.*

*Benjamin Lowle's complaint against his uncle Lowle and uncle Gerish, overseers of his mother's will.

Answer to Benjamin Lowle's complaint, by Tristram Coffin,† attorney.

Margrit Lowle, aged seventy-four years, testified that the cows which Nicklus Noyes testified concerning were appraised and put into the inventory under the name of debts and the tapestry coverlid with several other things. Sworn, Nov. 23, 1678, before Jo. Woodbridge,‡ commissioner.

Stephen Grenleife, aged about fifty years, testified that he bought of Mr. Richard Lowle nine acres of land in the field of exchange land beyond the new town, which cost him eleven pounds. Sworn, Mar. 27, 1679, before Jo. Woodbridge,‡ commissioner.

Letter of attorney, dated Mar. 19, 1678-9, given by Richard Lowle,§ who on account of bodily infirmity was not able to attend court, to Tristram Coffin of Newberry. Wit: Tho. Hale† and Incres Pilsberry.‡ Acknowledged, Mar. 19, 1678-9, before Jo. Woodbridge,‡ commissioner.

Letter of attorney, dated Mar. 6, 1678-9, given by Wm. Gerrish,§ sr., of Boston to Tristram Coffin of Newbury. Wit, Peter Brackett† and Ann Paine.‡ Acknowledged, 6 : 1 : 1679: before Tho. Danforth,‡ assistant.

Writ, dated Feb. 25, 1678, signed by Anthony Somerby,† for the court, and served by Returne Waite,‡ deputy marshal of Boston. Bonds of Wm. Gerrish† and Richard Lowle.†

Copy of order of the General Court, dated May 26, 1682, renewing and confirming administration of the estate of Elizabeth Goodale, formerly granted to Abraham Toppan and Elizabeth Lowle. Said Toppan, in right of his wife, and Thomas Millard and Richard Lowle, overseers of the will of Elizabeth Lowle petitioned, "that as this honored Court on there petition, in the yeare : 1647 : did grant unto the saide Abraham Toppan, in right of Susan his wife, and to Elizabeth Lowle executrix to the estate of her husband John Lowle power of Administration; to the estate of Elizabeth Goodale there mother amounting as per inventory to the vualue of one hundred ninety one pounds odd money exceptinge some goods which amounted to thirtie pounds, or thereabouts, which this court reserued liberty to John Goodale any time within thre yeares, to make challenge there unto, from that time, so now that time beinge expired, and no record found of the Courts grant, that this court would be pleased soe to order it, that the grant aboue mentioned, may be entred in the Court records, and stand firm to all intents, as if it had

† Autograph.

§ Autograph and seal.

Joseph Quilter, administrator of the estate of Marke Quilter v. John Wild. Debt. Verdict for plaintiff. Appealed to the next Court of Assistants. John Wild, with John Newmarsh and John Gould, as sureties, were bound.

Nathaniell Putman v. John Hibbert. Appeal from a judgment of the Salem commissioners. Verdict for defendant, confirmation of the former judgment.*

been entred at the time aboue mentioned, the grant aboue mentioned beinge fresh in the remembrance of the present secretary and seuerall deputies." Copy made by Edw. Rawson,† secretary.

Ann Hills, aged fifty-eight years, testified that she heard Mistriss Elizabeth Lowle desire Mr. Thomas Millar to take care of her son Benjamen Lowle after her decease. Sworn, Mar. 22, 1678-9, before Jo. Woodbridge,† commissioner.

Benjamin Lowle's bill of cost, 3li. 15s.

Henrey Jaquich, aged about sixty years, testified that he hired of Mr. Richard Lowle ten pounds for two years, and paid him interest 2s. to the pound, which he told him was the children's estate. This was about eighteen or twenty years since. Sworn, Mar. 28, 1679, before Jo. Woodbridge,† commissioner.

Edward Richason, aged about sixty years, testified that he hired of Mrs. Millor three pounds and paid 2s. in the pound to her and Mr. Lowle until court ordered that five groats in the pound should be allowed and no more. Sworn, Mar. 27, 1679, before Jo. Woodbridge,† commissioner.

Nickelous Noyes, aged sixty-three years, deposed that he helped appraise the goods of Mrs. Elizabeth Lowle and Mr. Thomas Millar and Abraham Toppan showed the goods to him, Capt. Gerrish and Mr. Lowle being there, etc. Sworn, Mar. 31, 1679, before Jo. Woodbridge,† commissioner.

Copy of inventory* of the estate of Elizabeth Goodall of Yarmouth, old England, widow, taken Mar. 27, 1647, by Edward Rawson, Henry Short and Rich. Knight. Copy made from Suffolk records by Isa. Addington,† cleric.

Copy of inventory‡ of John Lowle, taken June last, 1647. Copy made by Isa. Addington,† cleric.

*John Hibbert's bill of cost, 14s.

Nathanel Putnam's† reasons of appeal.

*For abstract of inventory, see printed Probate Records of Essex County, vol. 2, p. 447.

† Autograph.

‡For abstract of inventory, see printed Probate Records of Essex County, vol. 1, p. 67.

John Hibbert's* answer to Nathaniel Putnam's reasons of appeal.

From the files of the Salem Commissioner's court, Dec. 3, 1678:

Writ: John Hibbert v. Nathaniel Putnam; for carrying away a parcel of timber without consent of said Hibbert; dated 27 : 9 : 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry, jr.,* deputy for Henry Skerry,* marshal of Salem.

John Hibbert's bill of cost, 1li. 10s. 10d.

Zerobabel Endecott* certified that the timber which Nathaniel Putnam "did fetch away was that which John Hibbert did cutt off my land, & workd upon by order or agreement from myselfe, & upon that account I giue him full power to sue in my behalfe."

Nathaniel Putnam's bill of cost, 14s. 10d.

"The 23 : 10^{mo} : 1639. Granted to m^r Jn^o Endicot all that Swampe that runneth in the line of his farme next to Goodm Chickerins & of the other side to the land that is laid out in small lots sometimes m^r Batters." Copy made, 3 : 10 : 1678, from the Salem town book of records by Jno. Higginson,* recorder to the selectmen.

Job Swinerton* and Israell Porter* certified that they upon request of Nathaniel Putnam, measured a piece of land that was laid out to Goodman Giges, 2 : 10 : 1678, and "interfering upon Antone Nedom," and found it 97, 27, 80 and 64 poles on the four sides, containing about twenty-three acres. Sworn in court.

Richd. (his mark) Lech, Fr. (his mark) Nurse, Jno. Pickering, Israell Porter and Jno. Hathorne, a committee chosen by the town to settle a complaint of wrong done by Nathaniel Putnam in taking the town common or claiming the same, reported that they went up there, 24 : 11 : 1677-8, and found that the land claimed by him was much more than his original grant or that tract which by bounds was laid out to him for Goodman Jegles. Nathaniel Putnam promised to abide by their decision and they proceeded to lay out to him 20 poles more than was formerly upon the southerly side of his original bounds as far as that tract would bear that breadth and angle besides, to the black oak of Mr. Downing's. Copy made, 3 : 10 : 1678, by Jno. Higginson,* recorder to Salem selectmen.

Deed, dated 7 : 12 : 1658, given by William (his mark) Giggles, sr., of Salem, carpenter, to Nathaniel Putnam of Salem, farmer, of fifty acres of upland and two and one-half acres of meadow in Salem, "the upland bordering on y^e North side upon y^e land of Job Swinerton of Salem, & upon y^e South side on y^e land of Nathaniel Felton & m^r Emman: downeing, & haueing the land of M^r John Endicott junior, on y^e East, & the land of Isaak Bacon on y^e west, The Meadow lying among y^e fifty Acres granted to the Eleuen Hundred acres of upland." Wit: Walter Price* and Edw. Norice, jr.* Acknowledged, 7 : 12 : 1658, before Wm. Hathorne.* Recorded in Salem records, page 51, by Hilliard Veren,* recorder.

Samll. Frayle, aged twenty-seven years, and Steven Smal, aged about twenty-two years, deposed that being desired by John Hibbert to go with him to Nathaniel Putnam, who had carried away his timber that he had cut by Mr. Endecott's order in the mirey swamp, they judged the work done on it by cutting, squaring and framing to be worth three pounds. Sworn in court.

Willyam Osburne, aged about thirty-three years, deposed. Sworn in court.

Samll. Frayle, aged twenty-seven years, and Steven Smal, aged about twenty-two years, deposed that they went with John Hibbert to Nathaniel Putnam's house. They overtook Thomas Ferman and said Putnam's son, and they saw the timber on Putnam's land near his dwelling house. Sworn in court.

* Autograph.

Robert Dutch v. George Carr. Verdict for defendant.*

*Writ: Robert Dutch, sr., of Ipswich v. George Carr, jr. of Amesbury; for not performing an engagement, dated Dec. 21, 1677, concerning the vessel which William Carr, brother to said George Carr, agreed to build for said Dutch; dated Feb. 14, 1678; signed by Robert Lord,† for the town of Ipswich; and served by Robert Lord,† marshal of Ipswich.

George Carr's bill of cost, 1li. 6d.

John Severance and Susannah Severans deposed. Sworn, Mar. 24, 1678-9, before Jo. Woodbridge,† commissioner.

William Carr's† receipt, dated 20 : 4 : 1678, to Daniell Peirc, for 4li. in money for the use of Robert Dutch of Ipswich. Wit: Robert Hastings† and Henry Jaques.†

Richard Hubbard, aged forty-five years, deposed that Robert Dutch desired him to find the iron work for the vessel and he never denied Wm. Carre any iron until the beginning of March. Sworn, Mar. 18, 1678-9, before Jo. Woodbridge,† commissioner.

John Dutch and Samuell Dutch deposed that a vessel of twenty-five tons was worth six pounds per month, etc. Sworn in court.

Thomas Norman, aged about thirty-eight years, testified that he being in company with Mr. John Ankquati, the latter asked if Robert Dutches vessel were built, for he was to be a partner with Dutch and would supply him with what money and goods he wanted to carry. Sworn in court.

Edmund Marshall, aged about twenty-nine years, testified that he surveyed the ketch, which was then two-thirds built and found some of the work to be defective, as a timber and plank, which Carr promised to take out. The floor also was not proportionate to a vessel of that burden. Sworn, Mar. 18, 1678-9, before Jo. Woodbridge,† commissioner.

David Benite deposed that having passed over the ferry at Salsbury, he met George Car, jr., who said that his brother William Carr agreed to build the vessel according to true rule, art and covenant. Sworn in court.

John Felton, aged about thirty-two years, testified. Sworn in court.

John Putnam, jr., and Thomas Furman, aged about forty years, deposed that they carried away the timber in two loads, with four oxen in one team and two oxen and a horse in the other cart. The framing that was done was two pair "of prinseples and tow bemes Caked downe." Sworn in court.

John Putnam, jr., aged twenty-two years, and Thomas Farman, aged forty years, deposed. Sworn in court.

John Putnam, sr., aged about fifty years, deposed. Sworn in court.

Jonathan Walkut, aged about thirty-nine years, testified that he saw John Hibbert working on the timber near the edge of the mirey swamp, framing part of a roof for a house. Sworn in court.

• † Autograph.

Wm. Carre, aged about thirty years, testified that his brother George refused to join in the covenant, as he had so many other engagements. Sworn, Mar. 17, 1678-9, before Jo. Woodbridge,* commissioner.

Robert Lord, marshal, and Stephen Cross deposed that it was agreed that the vessel should be built according to true rule and art, etc. Sworn by Cross, Feb. 5, 1678, before Daniel Denison,* and by Lord, Feb. 24, 1678, before Daniel Denison.*

Agreement, dated Dec. 21, 1677, between Robert (his mark) Dutch of Ipswich, mariner, and William Carr* of Salisbury, shipwright, concerning the building of a pink stern ketch. Said Carr agreed to build for Dutch "a good & substantiall Ketch to bee in length by y^e keele thirty fower foot in breadth twelve foot by y^e beame & six foot deep in y^e hold to bee every way shipshapen, The said ketch to bee built wth two inch white oake planke to y^e uppr. wale, & wth inch & halfe white oake plank upward, & to bee seiled fore & aft wth y^e like condicond two inch planke: To lay her deck wth good two inch pine plank: the fore Castle to bee raised twelue Inches & y^e cabin abaft to bee raised two foot wth scuttles & hatches sutable & to doe & compleat all builders worke to a cleat: to fitt her with all y^e masts & yards & to calke & lanche y^e sd ketch by y^e last day of August next ensuing y^e date hereof: For & in Consideracon of all w^{ch} y^e abousd p^rmisses to bee p^rformed & done as aforesd." Carr was to be paid at the rate of 3li. 5s. per ton, to be reckoned according to common account, at three several payments, one-third in currant New England money, one-third in provisions, two barrels of pork and two barrels of beef, and the other third in English goods, to be delivered at said Dutches house at Ipswich; the first payment was to be after raising the vessel, the second at the bringing of her upper wale, and the last at the launching and finishing. Dutch was to provide all iron work, Carr agreeing to give the smith seasonable warning, the work to be done at Nubery or Salesbury, and he was also to find five small Plymouth barrels of tar at 10s. per barrel and three hundred weight of okum at 3d. per pound to be deducted out of the provision part. Wit: Tho. Bradbury* and George Carr, jr.* Sworn, Mar. 18, 1678, before Jo. Woodbridge,* commissioner.

William Carr's account of what he had of Robert Dutch in 1677: At Mr. Frances Wanright's on Jan. 3, 1677, 4li. 12s. 6d.; Mar. 7, 1678, 2li. 18s. 2d.; to goods, 4li. 15s.; June 18, to goods, 4li. 11s. 7d.; at Mr. John Wainright's in May, 1678, 3li. 9s. 7 1-2d. To goods delivered myself to said Carr: on 3 : 11 : 1677, 4 pound of cassel sope, 5s.; 1 1-2 yd. kenting, 6s.; 1 quarter of a thousand of pins, 5d.; on 3 : 1 : 1678, to

* Autograph.

John Dutch, assignee of Mr. Tho. Woodbridge v. Wm. Carr. Debt. Verdict for plaintiff.*

Daniell Wicom v. Capt. John Johnson, Ezekieil Northend

goods paid by Mr. Thomas Wodbraig, 1li. 9s. 4d.; on 1 : 2 : 1678, 1 pare of frinch fale shoose, 8s.; on 10 : 3 : 1678, to 9 bushels and a halfe of Indin Corne, 1li. 8s. 6d.; to 2 1-2 bush. of rye, 10s.; to 1 line, 3s.; to 1 barell of porke and 63 pound of porke, 5li. 1s. 2d.; to 6 yards of canvis, 15s.; 1 hat, 15s.; 1 bush. of wheat, 9s.; 1 galin of roome, 5s.; to 5 barells of tarr, 5s.; 1 pare of frinch fall shoouse, 8s. What money I have paid to this said Carr: to 1 hate and ribbin in moni, 9s.; to 6 pence to Mr. Bradbary, 6d.; 6 : 12 : 1677, to quarter-master Pourkines, 2li.; 6 : 12 : 1677, to moni sent by Samuel Savarane, 10s.; 29 : 1 : 1678, to moni paid to Hugh March, 5s.; 30 : 1 : 1678, to moni paid to Mr. Thomas Woodbredg, 2li. 10s.; 10 : 3 : 1678, to moni he had of me, 2li.; paid for him to Goodwife Hassen, 2s. 6d.; paid by Mr. Benit, 4li.; paid to the smith in monis to Richard Hubard, 3li. 4s., which is for Iron worke said Carr has had for his use. Sworn by Robert Dutch in court.

December, 1677, and May, 1678, Richard Hubbard's† receipt for 94 pounds of spikes and 48 pounds of bolts.

Receipt, dated May 10, 1678, given by William Carr† to Robert Dutch, sr., for 9 1-2 bush. of Indian corn, 2 1-2 bush. of rye, one line three shillings by John Wanright, 3 pounds one barrel of pork and 63 1-2 pounds of pork, total, 5li. 1s. 2d., and two pounds of money, six yards of canvas, one hat, 9 shillings, one bushel of wheat, 5s., and one gallon of rum, 5s.

*Writ: John Dutch, assignee of Robert Dutch v. William Carr, debt, for a bill made to Mr. Thomas Woodbridge and made over to Robert Dutch; dated Dec. 23, 1678; signed by Robert Lord,† clerk to the town of Ipswich; and served by Oneseophoris Page,† constable of Salisbury. Bond of John Stockman† and John Allin.†

John Dutch's bill of cost, 2li. 1s. 10d.

Bond, dated Nov., 1676, given by William Carr† of Salisbury to Thomas Woodbridge of Newbery, for 21li. 2s. 5d. to be paid in boards or white oak pipestaves. Wit: Steven Swett† and Thomas Crosbie.† Sworn by Crosby, Oct. 2, 1678, before Jo. Woodbridge,† commissioner, and owned by Carr in court. On Aug. 24, 1678, Tho. Woodbridge† assigned this bill to Mr. Robert Dutch. Wit: Timothy Woodbridge† and Joseph Pike.† On Dec. 23, 1678, Robert (his mark) Dutch assigned it to John Dutch. Wit: Robert Lord, sr.,† and Nathaniel Lord.†

. †Autograph.

and Ezekeiell Mighill, as townsmen, in behalf of the town. Withdrawn.

John Jewett v. John Comings. Debt. Withdrawn.

Samuell Pippen v. Benjamin Marshall. Appeal from a judgment before Major Genll. Denison, Esq., Jan. 9, 1678. Verdict for defendant, confirmation of the former judgment.*

*Copy of papers in this action tried before Maj. Denison, made by Daniel Denison:†

Writ: Benjamin Marshal v. Samll. Pippen; trespass; for selling or disposing of three or four pine trees to William Tompson, which trees were taken off land that Samll. Cogswel, deceased, leased to said Pippen, the latter having no right by lease, which lease is assigned to said Marshal, who had purchased the land for a thousand years; dated 1 : 11 : 1678; signed by Robert Lord,† cleric, for the town of Ipswich; and served by Robert Lord,† marshal, by attachment of a parcel of barley and his horse.

Judgment for plaintiff, the defendant appealing to the next Ipswich court, with Samll. Gittins and William Tompson as sureties.

Benjamin Marshal's bill of cost, 1li. 7s. 10d.

Samll. Gittins and John Chub testified that Samll. Pippen told them that he would cut down and dispose of all the timber that was good for anything upon the farm he had hired of Samll. Cogswel. Sworn, Jan. 9, 1678, before Daniel Denison.†

Edward Cogswel, aged about twenty-four years, and Willm. Cogswel, aged about nineteen years, deposed that some time about the breaking up of last winter, they sledded the logs that came of four pine trees for Mr. William Tompson, which grew in a very miry, wet swamp, which was not fit to plant corn in. The trees made eleven logs. Sworn, Jan. 9, 1678, before Daniel Denison.†

William Tompson, aged about twenty-nine years, deposed that ten of the logs were thirteen or fourteen feet long, etc. Sworn, Jan. 9, 1678, before Daniel Denison.†

Henry Swet, aged about twenty-two years, deposed that his master, William Tompson, etc. Sworn, Jan. 9, 1678, before Daniel Denison.†

Lease, dated Dec. 6, 1673, given by Samll. Cogswel of Ipswich to Samuel Pippen of Ipswich, husbandman, 300 acres of land with a farm upon it, with the trees and timber, lying on the south side of Chebacco river in Ipswich, for ten years; he was to pay 42s. yearly for four years, and 10li. yearly for the remaining six years, in pork, beef, butter, cheese,

†Autograph.

Walter Fairefield, executor of the estate of John Soolart v. Ezekiel Woodward. Withdrawn.

Henry Bennett v. John Graves. Debt. Defendant pleaded a nonsuit because the date of the lease was not in the attachment, but court allowed the case to proceed, and defendant appealed. Withdrawn.

John Staniford v. John Graves. Debt. Verdict for plaintiff, in wheat and malt.*

Edward Phelps v. Mary Kimball, administratrix of the estate of Thomas Kimball. Debt. For work. Verdict for plaintiff.†

Mr. Thomas Walter and Richard Middlecut v. Mr. John Giffard. Verdict for plaintiff. Forfeiture of the bond of 2,000li. of good and lawful money of England.‡

wheat, malt or Indian; he was to have what timber he needed for finishing the house, building a barn and other housing for cattle, also for firing and fencing; what land he cleared for corn, he was to be allowed to carry the corn away for his use, and was also to be allowed for the buildings he erected during the term of the lease. Wit: James Chute and Thomas Den-
nis. On Jan. 25, 1674, Samuel Cogswel assigned this lease to his brother John Cogswel. Wit: Samuel Graves and Joseph Lee. On Dec. 1, 1677, John Cogswel assigned it to Benjamin Marshal. Wit: Philip Fowler and William Goodhue, jr. Recorded, Jan. 30, 1677, among the records of lands for Essex at Ipswich, book 4, page 125, by Robert Lord,§ recorder.

Samuell Pipen's§ reasons of appeal, received Tuesday, Mar. 20, at about four o'clock by Daniel Denison.§

Benjamin Marshall's§ answer to Samuell Pipen's reasons of appeal.

*Writ, dated Mar. 11, 1678, signed by Robert Lord,§ for the court, and served by Thomas Knowlton,§ deputy for Robert Lord,§ marshal.

John Graves Dr. to Jno. Staniford, June 3, 1678, due upon account, 3li. 15s. 9d.; delivered since in goods, 1li. 9d.; total, 4li. 16s. 6d.; Cr. per contra, 6s.; rest due, 4li. 10s. 6d.

John Staniford's bill of cost, 17s. 6d.;

†Edward Phelps' bill of cost, 2li. 16s. 6d.

‡Writ: Thomas Wallter of Yonghall in Ireland, merchant, now resident of Boston, and Richard Midecut of Boston, merchant, attorneys for John Wright of Ritsbridg, in the county of Essex, Esq., John Williams of Bristoll, merchant, Kattern Eatton of London, widow, executrix of her son John

Eatton of London, mercer, deceased, and John Dodsworth of London, haberdasher, assignee of John Wright of Ritsbridg, administrator of the estate of Francis Allin, late of London, gentleman, deceased, v. John Gifford; for 2,000li., for not keeping articles of agreement made between said Giffard on one part and Richard Combe, knight, John Wright, Francis Allin, John Godfry, John Williams, John Eaton and Esseakel Fogg, on the other part, dated Mar. 10, 1678-9; signed by John Fuller,* for the town of Lyn; and served by Jon. Witt,* constable of Lyn, by attachment of a coal heap, two swine, a load of hay and a calf, and the land of all the farm houses, etc., and who left the summons with Gifford's wife.

Bill of cost of Jno. Frayd, attorney to Mr. Thomas Wallter, for ye bond and melting the wax and attesting it, etc., 8li. 6s 6d.

"To all that shall see these presents or heare them to be read sir Joseph Sheldon, Knight, Lord Mayor and the Aldermen or senators of the cittie of London send greeting Know yee that on the day of the date heerof, In the Kings maiestires court, holden before us in the chamber of the Guildhall of the said cittie psonally came and appeared, Richard Stonhill of London notary publick, Aged twenty eight years or thereabout, being a pson well knowne and worthy of good faith and credit, And did by his solemn oath which he tooke upon the holy Evangelists of Almighty God Att the Instance and request of John Wright of Wrightsbridge, in the county of Essex Esquire," deposed that he saw John Gifford of New England, merchant, and Ezekiell Fogg, of London, merchant sign the bond, dated June 1, 1673; dated London, Oct. 25, 1676; and signed by Wagstaffe. Copy made by Robert Lord,* cleric.

Bonds of John Gifford and Ezekiell Fogg. Wit: Richard Stonehill and Wm. Renold. Copy made by Robert Lord,* cleric.

Letter of attorney, dated Oct. 25, 1676, given by John Wright of Wrightsbridge, Essex, to Thomas Walter of Yonghall, in the Kingdom of Ireland, merchant, and Richard Medillcott of Boston, merchant, for the use of John Williams of Bristoll, merchant, Katherine Eaton, widow, executrix of her son John Eaton, late of London and John Dodsworth of London, haberdasher, in actions concerning certain Iron works in New England. Wit: John Hackman and Tho. Brooke. Acknowledged before Rich. Stonehill, notary public. Copy made by Robert Lord,* cleric.

Letter of attorney, dated Mar. 13, 1678, given by Thomas Walter of Yonghall in the Kingdom of Ireland, now resident in Boston, New England, merchant, attorney to John Wright

* Autograph.

of Wrights Bridge, Essex, England, Esq., Katherine Eaton, and John Dodsworth. Wit: William Gilbert and John Hayward, scribe. Acknowledged before Edward Ting, assistant. Copy made by Robert Lord,* cleric.

Agreement, dated Aug. 2, 1673, between Mr. John Gifford and Mr. Ezekiel Fogg, as agents and members of the company of the Iron works, signed by Richd. Combe, John Wright, John Bulteell, Francis Allin, John Williams, John Gifford, Ezekiel Fogg, John Eaton and John Godfrey: "1. That you haue a due respect to ou^r Generall Articles whereunto you both are pties. 2. We heare with psent you with bills of lading and factory acco^{ts} of English marchandizes to the neat import of fifteen hundred Eighty Eight pounds twelue shillings star: in such Commodities as wee hope will proue fitt for the marketts, w^{ch} goods and bills are consigned to you M^r Ezekiel Fogg in pticular vnder the following restrictions. And in yo^r absence or in case of mortality to M^r David Fogg yo^r Bro^r whom we nominate yo^r assistant till the settlement of ou^r affaires and pformance of Couenants by m^r Gifford but subject To the same restrictions. 3. Soe soone as you shall arriue in new England you are to secure the said stocke and marchandice or to sell itt to the best aduantage for the benefitt of the Comp^a and the same together with all pfitts you are nott any way, to Imploy or dispose but according to orders by m^r John Wright ou^r superintendant or such pson as hee shall name who is to follow such order as in that behalfe hee shall receiue from us and his order to you shall bee yo^r sufficient warrent. 4. So soone as the said M^r Wright shall haue seene the deeds of sale enrolled and declared that hee lookes on the workes fitt to fall in hand with, you are psently to apply the said stocke to the managment of the said workes, or soe much thereof as the said m^r Wright shall thinke meett and the rest dispose of as in his Judgement shall seeme most for the aduantage of the Comp^a and after such declaration as afors^d M^r Gifford is to Joyne with you wholly in the managment of the same but not to intermeddle tell such time as hee hath pformed all that is to bee done on his pt. itt being the intent and agreement of us all that untell such time m^r Gifford is nott to intermeddle with any pt of the said — But as soone as he hath done what to him belongeth then he is to receiue 420^{li} more together with halfe the profitts of 910li. he haueing allreddy reced 800^{li} wch is in all 1000^{li}. And then he leaueing the other 500^{li} with all the profitts of itt for his and yo^r owne 8 pts there will remaine in yo^r hands for that and the other 8 shares 1000^{li} with the profitts excepting the charge here and in passing

"After m^r Gifford and you shall haue Joyned in Interest

* Autograph.

wee hope & expect you will bee mutually serviceable to each other and both to the ——. The Concernes of the workes and planta—— we recommend to m^r Giffard and to m^r Fogg. The methodizeing returnes and march^{ts} acco^{ts} And therefore wee desire you will doe nothing without each others aduice any of o^r affaires or negotiations whatsoever w^{ch} we in Great part Committ to yo^r prudence and discretion you conferring with and takeing the counsell of ou^r freind and ptner m^r Wright or such pson as he in his absence shall name for ou^r superintendant. 6. Wee are willing to haue experiments of those mineralls w^{ch} you shall apphend to bee of value with yo^r Judgments of the charges and samples of the oare and quantities and Qualities of the same.

“7. In all yo^r returnes and aduentures relateing to the Comp^a you are to put the Comp^a marke that where euer that marke is itt may bee knowne to concerne our proportionable interests, And what goods you see send abroad, let Concur with yo^r Bookes att home; all yo^r Accots and bookes relateing to ou^r Comp^a Interest running in the title and still of (8) w^{ht} Goods you send for england consigned in Bristol to ou^r freind and ptner Mr. John Williams and what in London to m^r John Godfrey and m^r John Eaton (ou^r pseu—— husbands) with whom in ou^r behalfe you are to Correspond, there orders or any one of them with one or more of ou^r Comp^a. subscribeing with them, you are to follow and obserue as the mind of the rest Concerned in England. 9. Our aduice is that you be verry carefull to whom you giue Creditte wee Judgeing itt better that you should barter Comoditie for Comoditie than be exposed to Creditte. You are allowed out of all sales & returnes on the acco^{ts} of the Comp^a. to draw Customary pusion of 5 p c^t In Case itt should proue that the works should appeare to m^r Wright of noe value or m^r Gifford should not pforme his Agreement then we haue Giuen Instructions to m^r Wright w^{ch} you are to pursue, to w^{ch} wee reffer you.” Wit: William Reynolds, Samuell Hunt and Charles Tate. Acknowledged by Comb, Wright, Buttell, Allen, Giffard and Fogg, before Richd. Stonehill, notary public. “These Instructions was presented by m^r John Giffard & m^r Ezekiel Fogg to me the 30th Aprill : 1674 ordering them to see severall Deeds to bee inroled. John Leverett Gov^r” Recorded in Book 4, pp. 266 and 267 of the book of records of the notary public of the Massachusetts Colony at the request of Mr. Ezekiel Fogg, Aug. 11, 1674, by Robert Howard, notary public. Copy made by Isa. Addington,* cleric.

Instructions, dated Sept. 15, 1673, given by John Wright, John Butteel, Fran. Allen, John Giffard, Ezekiel Fogg and John Godfrey to Mr. John Gifford and Mr. Ezekiel Fogg:

* Autograph.

whereas they were engaged in the purchase of certain lands and Iron works and other mines in New England, and had appointed Mr. Wright to go over as their agent and he had been unable to do so, they committed the whole business to said Gifford and Fogg until Mr. Wright should arrive in New England, etc. These instructions were presented, Apr. 30, 1674, to John Leverett, Gov., by Mr. John Giffard and Mr. Ezekiel Fogg. Copy made, Mar. 13, 1678, by Robert Howard,* notary public, from book 4, p. 268 of the notarial records.

Agreement, dated Dec. 1, 1669, between Tho. Breedon* and John Giffard*: that whereas Capt. Thomas Breedon had a judgment of 1050li. against John Giffard, that for satisfaction of said judgment he sold all his interest in the Iron works to Jno. Giffard, who was in three years' time to set the works blowing and upon the first blast was to pay to Capt. Breedon 200li. and at the next blast 200li. more. Wit: Joseph Rock,* Henry Phillips* and Rich. Wayte.*

T. Breedon's† receipt, dated Apr. 6, 1670, to Mr. Gifford of 100li. by bill on Rich. Way of Boston from Mr. Rich. Russell of Charlestowne and also one bond of said John Gifford for 100li. payable June 24, 1671, in payment of all demands and also for one other part of the Iron works at Chiswick in New England which belonged to said Breedon and company. Wit: Rich. Wayte,* marshal, and John Conney.* Acknowledged, Apr. 17, 167-, before Edward Tyng,* assistant. Recorded, 20 : 2 : 1674, in book 4, p. 56, of the records at Salem, by Hilliard Veren,* recorder.

Deed, "tripartite," dated Aug. 1, 1673, between John Gifford of New England, merchant, on the first part, John Bulteele of St. Margaret's, Westminster, Esq., on the second part, Sir Richard Combe of Hemelhemsted, County Harford, Knight, John Wright of Wrightsbridge, County Essex, Esq., Frances Allen of London, Esq., John Godfery of Canterbury, Esq., John Williams of Bristow, merchant, John Eaton of London, mercer, and Ezekiel Fogg of London, merchant, on the third part, for 5s. paid by Bulteele to Gifford and for 1,500li. by Combe, Wright, Allen, Godfery Williams, Eaton and Fogg to Gifford, acquit said Combe, etc., that said Bulteele should immediately reconvey the land, etc., sell to Bulteele 400 acres of land and a house 24 feet long, 20 feet wide, with six acres of land in fence and broken up, with a garden, orchard, cowhouse and stable; one other house 26 feet long, 18 feet wide, with two acres of land in fence with a small orchard; one other house 50 feet long, 16 feet wide, for a potter to work in; one house 40 feet long, 20 feet wide, a furnace to cast Iron ware in, as pots, kettles, sugar rolls, guns,

* Autograph.

† Autograph and seal.

shot or the like; together with all water courses, dams, utensels, mines, etc., situate between Linne and Redding in New England, formerly known by the name of the silver works, etc. Wit: Richard Stonehill, William Reynolds, Whittingham Fogg, Tho. Turner, jr., Richard Weeden, Samuell Hunt, Charles Tate. Acknowledged, Apr. 30, 1674, before John Leverett, Govr. Recorded, May 5, 1674, by Hilliard Veren,* recorder. Copy made by Hilliard Veren,* recorder.

Deed, "tripartite," dated Aug. 2, 1673, between John Bulteele of St. Margaret's, Westminster, Esq., on the first part, John Gifford of New England, merchant, Ezekieil Fogg of London, merchant, John Wright of Wrightsbridge, County Essex, Esq., on the second part, and Sir Richard Combe of Hemelhemsted, County Hartford, Knight, Frances Allen of London, Esq., John Godfery of Canterbury, Esq., John Williams of Bristoll, merchant, and John Eaton of London, mercer, on the third part, for 5s., paid to John Bulteele by John Gifford, Fogg and Wright, etc., conveyed the same estate mentioned in the foregoing deed, in trust, as by one other deed "sexpartitie" of same date, made between Gifford, Fogg and Wright on the first part, Combe on the second part, Allen on the third part, Godfery on the fourth part, Williams on the fifth part and Eaton on the sixth part, etc. Wit: William Raynolds, Richard Stonehill, Whittingham Fogg, Tho. Turner, jr., Samuell Hunt and Charles Tate. Acknowledged, Apr. 30, 1674, before John Leveritt, Governor. Recorded, May 5, 1674, by Hilliard Veren,* recorder. Copy made by Hilliard Veren,* recorder.

Account of the Company, dated Boston, Dec. 25, 1674, Dr., to neete proceeds of voyage, £1,223. 15s. 4 1-2d.; to acct. of profit and Loss on Credit side, £108. 2s. 10 1-4d.; to acct. of debts, on Credit side, £391. 2s. 11 1-4d.; total, £1,723. 1s. 2 1-4d.; to stock being first interest, £3,177. 4s.; to profit and Loss on Credit side, £347. 1s. 8d.; to acct. of John Gifford, £428. 12s.; to acct. of Debts, Credit side, £391. 2s. 11 1-4d.; total, £4,344. 7 1-2d. Creditor: by Plantation Interest on Debit side, £269. 8s. 9d.; by John Gifford, agent, £1,015. 9s. 9 1-4d.; by necessaryes, £15. 16s. 2d.; debts, £137. 1s. 6 3-4d.; profit and Loss, £232. 14s. 2 3-4d.; cash remaining, £5. 18s. 6 3-4d., merchandize remaining, £46. 12s. 1 1-2d.; total, £1,723. 1s. 2 1-4d.; by John Gifford as agent, £1,496. 17s. 7 1-2d.; plantation interest, £2,286. 12s. 9d.; necessaryes, 15li. 16s. 2d.; merchandize, £46. 12s. 1 1-2d.; debts, £137. 1s. 6 3-4d.; profit and loss, £342. 15s. 8 3-4d.; by Ezekieil Fogg advanced in England, £4. 9s. 6d.; by John Eaton, in his hands, £8. 5s. 2d.; cash remaining, £5. 10s.; total, £4,344. 7 1-2d.

* Autograph.

Deacon Wm. Goodhue v. Seth Perry. Verdict for defendant.*

Deacon Wm. Goodhue v. Samuell Bishop. Debt. Verdict for plaintiff.†

William Grice, aged about thirty years, testified that he had been employed by Mr. Ezekiell Fogg, merchant, ever since Aug., 1673, in charge of his warehouses and in keeping of his books, both personal accounts and those of his interest in the Iron company, etc. He made oath to the truth of the accounts in the ledger and journal, Mar. 12, 1674, before Simon Bradstreet and Edward Tyng, assistants. Copy from the notarial records, book 4, pp. 322 and 323, Mar. 14, 1678-9, by Robert Howard,‡ notary public.

Articles of agreement, dated June 1, 1673, with John Gifford, as agent, of the land known as the silver mines, between Lynn and Redding, to work several mines of gold, silver, lead, tin, iron or copper, of which by patent he was to have one-fifth of all metals between Kenebeck river and New Yorke in New England, the whole being divided into sixteen parts, each part being valued at £125; each party was to pay down for every sixteenth part "one Ginny peece of gold to be layd out in a peece of plate for the Said John Gefords wife for her Consent according to the Custome of New England." Full details of the organization of the company, "the Originall of these foregoeing articles Comprehended in one Skinn of Large parchment with 8 labels at the foot." Acknowledged before Rich. Stonehill, notary public. Acknowledged, Apr. 30, 1674, in Boston before John Leveritt, Governor. Copy made, Mar. 14, 1678-9, from the notarial records, book 4, pp. 314-318, by Robert Howard,‡ notary public.

*Writ: Deacon William Goodhue v. Seth Perry; debt, for malt delivered by Nathaniell Piper in 1672; dated Boston, Mar. 20, 1678-9; signed by Ephraim Turner,‡ for the town of Boston; and served by Returne Waite,‡ deputy marshal. Bond of Seth Perry.‡

John Barry, aged about thirty-seven years, deposed that Nathaniell Piper delivered the malt on Dec. 12, 1673. Sworn in court.

Thomas Harris testified. Sworn in court.

Samuell Dutch, aged about twenty-eight years, testified that he was in Boston in 1678 and heard Seath Perry say that he bought malt of Goodman Piper and had paid some of the money to Dea. Goodhue and the rest of the malt the boatmen had spent in beer. Sworn in court.

†Writ: William Goodhue, sr., merchant v. Samuell Bishop;

‡ Autograph.

Deacon Wm. Goodhue v. Thomas Bishop. Debt. Withdrawn.

Abell Langley v. Samuell Bishop. Debt. Verdict for plaintiff. Forfeiture of the bond.*

John How v. Robert Dutch. Withdrawn.

Capt. Paull White v. Steeven Johnson. For withholding a debt. Verdict for plaintiff.†

debt; due from Samuell Bishop, his brother, Jno. Bishop and his mother, Mrs. Margett Bishop; dated Dec. 13, 1678; signed by Robert Lord,‡ for the town of Ipswich; and served by Robert Lord,‡ marshal.

Acct. taken from Dea. Goodhue's book, Apr. 1, 1679: John Bishoop, rest due, 1li. 17s. 1d.; John Bishoop, serge, buttons and silk, by Capt. Whipple, 17s.; Mr. Samuell Bishoop, balance, 3li. 9 1-2d.; Mrs. Bishoop, 4 yds. Ribon, 3 nayls tabes, 6s.; 100 nayls serge by John Gamage for Mrs. Bishoop, 6d.; by 2 yds. lupstring and nayls, 1li. 4s. 6d.; Feb. 27, 1677, yd. 3-4 serg at 6s. a yd., 10s. 6d.; 6 pound shoott, 12s. 9d.; Mar. 11, lockerum, nayls silk, Mrs. Bishoop had, 4s. 1d.; Aug. 4, 1678, Mrs. Bishoop, canvis and Ribon, 10s. 3d.; total, 8li. 12s. 11 1-2d.

William Goodhue's bill of cost, 1li. 2s. 6d.

Copy of will of Thomas Bishop, dated Feb. 6, 1670, made by Robert Lord,‡ cleric.

*Writ, dated 12 : 10 : 1678, signed by Robert Lord,‡ for the town of Ipswich; and served by Robert Lord,‡ marshal, by attachment of the house and land of Samuell Bishop, commonly called the "great house."

Edward Brag deposed that upon order of Abell Langley he paid 50li. to Mr. Bishop, and he was to pay it back in wheat, barley and pork. Sworn, Apr. 2, 1679, before Daniel Denison.‡

Abell Langley's bill of cost, messenger to Lin to serve summons, etc., 2li. 8s.

Bond, dated Mar. 7, 1671-2, given by Samuell Bishop§ of Ipswich to Abell Langley of Rowley, for 106li. 18s., to be paid in wheat and barley at said Langley's dwelling house, to secure him for a debt of 53li. 9s. in wheat, barley and pork. Wit: William Acie‡ and Sarah Bishop. Acknowledged, Apr. 1, 1679, by Acie before Jo. Woodbridge,‡ associate, and by Sarah Bishop before Robert Lord,‡ cleric. John Acie also made oath to his father Wm. Acie's signature.

‡Writ: Capt. Paull White v. Steven Johnson of Andover; debt; dated Newbury, Mar. 12, 1678-9; signed by Jo. Wood-

‡ Autograph.

§ Autograph and seal.

Daniell Wicom v. John Griffing. Defendant acknowledged judgment to Daniell Wicom in corn, cattle and money.

Ens. John Gould acknowledged judgment to Major Genll. Denison, Esq.

Edward Homan of Marblehead acknowledged judgment to Mr. John Turner, in fish.

Joseph Coker was licensed to make sturgeon to transport.

Thomas Hobs acknowledged judgment to John How, in wheat.

The selectmen of Andover presented a certificate that they had given warning to Robert Ebring and Henry Salter to depart the town, not allowing them to be inhabitants.

Capt. Dudley Bradstreet, Leift. John Ossgood and Ens.

bridge,* commissioner; and served by John Bridges,* constable of Andover.

Capt. Paull White's bill of cost, 2li. 15s. 9d.

Stephen Johnson, Dr., June 22, 1677: to 3 yds. 1-2 of Ossenbrix, 8s. 2d.; 1 1-2 yd. of holland at 8s. p yd., 12s.; 3 yds. blew linen, 9s.; 3li. of fruit, 3s.; 2 glass bottles and 2 qts. of rum, 4s. 6d.; yd. of Pennestone, 4s. 6d.; a pt. of wine, 9d.; wine and liquor, 9d.; 10li. 1-2 sugar, 7s.; 22 : 4 : 1678, to 5 yds. sarge at 6s. 6d., 1li. 12s. 6d.; 4 yds. ribben at 8d. per yd., 2s. 8d.; thread, silk and buttons, 5s.; combe, horne booke and tobacco tongs, 2s. 9d.; knife, 6d.; wine, 5d.; lattening ware, 2s. 6d.; Lattening potts, 2s. 6d.; 16 : 6 : 1678, to 5 qts. 1 pt. rum, 6s. 11d.; gallon of molasses, 2s. 6d.; 20 lb. of sugar, 10s.; sack, 5d.; pipes, 4d.; yd. holland, 8s.; 7li. of raysons, 7s.; 2 yds. of manchester & 6 yds. tape, 18d.; rum, 5d.; gallon & pt. of rum, 5s. 8d.; 28 : 8 : 1678, rum, 5s. 8d.; yd. & 1-2 Pennestone, 7s. 6d.; salt, 2s. 6d.; gingerbread, 4d.; wine, 9d.; rum, 5d.; 9 : 9 : 1678, rum, 5s.; 12li. sugar, 6s.; manchester, 6d.; 11 : 10 : 1678, rum, 5s.; 21li. sugar, 10s. 6d.; 4 yds. & 3-4 Irish Cloth, 11s. 10 1-2d.; 2 yds. holland, 16s.; 2 yds. & 1-2 Cotten, 10s.; 4 dozen buttons, 3s.; manchester, 6d.; wine, 1s. 1d.; total, 11li. 17s. 4 1-2d.; 22 : 4 : 1678, per Contra, Cred. by 4 bushells of wheate, 1li.; 16 : 6 : 1678, by a bushel of wheat, 5s.; total 1li. 5s. Due Capt. White, 10li. 12s. 4 1-2d. Copied from the book, 31 : 1 : 1679, by William Chandler,* bookkeeper for Capt. Paul White. Compared with the original, Mar. 31, 1679, by Jo. Woodbridge,* commissioner. Sworn in court by William Chandler.

Ann White and Tho. Woodbridge affirmed that the account was correct. Sworn in court.

* Autograph.

Tho. Chandler, chosen commissioners to end small causes at Andover, were sworn, said Ossgood excepted.

Thomas Thurla acknowledged judgment to his master John Perkins.

John Stone had his license renewed for a year, also his license for liquors.

Hugh Marsh had his license renewed for a year, and also his license for liquors.

John Mighill had his license renewed for a year.

Mr. Frances Wainwright's license was renewed for a year.

John Sparke had his license renewed for a year.

Peeter Duncan had his license renewed for a year, also for liquors.

Ezekiell Woodward had his license renewed for a year, also for liquors.

John Harris was licensed to sell liquors by the gallon for a year.

Peeter Cheny was licensed to sell penny beer and cakes for a year.

James Standish dying intestate, court granted administration upon his estate to Richard Hutcheson.

Joseph Soolart, dying under age and having some estate, court appointed Joseph Levet and Walter Fairefield administrators, who were to bring in an inventory to the next Salem court. Joseph Levet and Walter Fairefield bound.

Court ordered the distribution of the estate of John Bread, referred from the last Salem court, amounting to 180li., as follows: to the eldest son, 72li.; to the other three 36li. each, they to be brought up with the produce of the estate, and if that fall short, to be deducted proportionally out of the estate of the two youngest, and the three sons to have their portions out of the land.

Upon a motion to court as to whether owners or tenants were to pay rates, court declared the tenants while in possession.

Henry Bachelour, dying intestate, administration upon his estate was granted to Nath. Tredwell and John Warner, who were to bring in an inventory to the next Ipswich court, provide for the widow, and keep an account.

John Flood gave bond to answer Mr. Giffard's cost in an

action commenced against him by Mr. Tho. Walker, he being not a settled inhabitant.

Sarah Gilbert was admonished upon her presentment.

Abigaill Soolart chose Walter Fairefield as her guardian, who gave bond.

Laurance Clenten was ordered to serve Arthur Abott until the end of June next for his charges about the child of Mary Grely set by the court.

Court allowed Charles Gott to be the guardian of Bethia Soolart, and he was bound.

Elizabeth Johnson, convicted of beating a cow of Mr. Hale's, whereby the cow died, was ordered to pay 3li.*

*Warrant, to the constable of Beverly, dated Feb. 24, 1678, for the apprehension of Elisabeth, wife of Jonas Johnson, Annis Hoar and Simon Hoare, upon complaint of John Dodge and John Hill, that they had abused some of Mr. Hale's cattle by cruelly beating them, whereby one of them is dead, signed by Daniel Denison.†

Summons, dated Feb. 24, 1678, to John Sampson, Abigaile Stone, sr., Henry Bailey, Thomas Patch, John Herrick and Abigaile Stone, jr., signed by Daniel Denison,† and served by Will. Dodge,† constable.

John Dodge and John Hill of Beverly complained that Elizabeth Johnson allowed some cows of Mr. John Hale, pastor of the church at Beverly, to be beaten in her yard, etc.

William Dodg, sr.,† aged about seventy years, deposed that Mr. Hale sent for him to see what was the matter with the cow. She could not rise without help and he advised them to give her some corn which she ate. Later she died and when her skin was off, she was very black upon the ribs as if she had been beaten.

John Hale† certified, Mar. 31, 1679, that he found his white-faced cow dead in his stable and he sent for Leonard Austin.

Complaint of John Dodge† and John Hill† to the court: that the suspicious parties were revengeful against Mr. Hale, and they knew of no other families in town who had shown "such an euill spiritt to our minister as these haue done." William Hoare, the father of the children, had also used threatening speeches to Mr. Hale. The pastor had also been annoyed by having hay stolen, and other things from the house and "the house disturbed with some person or persons knocking and making a noise in y^e Dead time of the night and towards Day sometimes att the Dore and sometime

† Autograph.

against y^e side of y^e house cheiflie when Mr. Haile hath been abroad and nott in towne to the Disturbance of M^s Haile and the familie," etc.

Leonard Austin,* aged about forty-five years, testified that he and Soloman Cole and Thomas Coy could not get the cow up, but one day when Farmer Dodge, the farrier, Goodman Stone and Robert Roundey were there they got her up and helped her from the cowhouse to the stable. She could not rise although there was room enough for her to do so in the stable had she been able. Soloman Cole* testified to the same.

John Sampson testified that about the time the oath of allegiance was taken this winter, he saw Nancy Hoare with a great stick in her hands beating the cows in Betty Johnson's yard and Symon Hoar and Goody Johnson's boy with clubs to keep them there. The cows escaped into Baylye's ground, and he remonstrated with the boys.

Abigaile Stone, sr., testified as to the beating and what happened in the lane between Bety Johnson's and her house, etc. Sworn, Apr. 1, 1679, before Wm. Hathorne,* assistant.

John Sampson, aged about fifty-two years, deposed that he was in his barn, and looking out of the window saw Simon Hoare and Joseph Buttman playing, as he thought, with the cow, etc. One cow had a bell. What they had in their hands he could not tell, it being a distance away. Sworn, before William Browne,* associate.

Henry Balie, aged about seventy-eight years, deposed that he flead the cow, Thomas Patch of Wenham and John Herrick being present part of the time, and found ten wounds, etc. Sworn, Apr. 1, 1679, before Wm. Hathorne,* assistant.

Abigall Stone, jr., aged about fourteen years, deposed. Sworn, Apr. 1, 1679, before Wm. Hathorne,* assistant.

Thomas Patch of Wenham, aged about forty years, deposed, and John Herrick, aged twenty-nine years, deposed. Sworn in court.

Abigell Stone, sr., aged about forty years, deposed that going out to her well, etc.

Abigell Stone, jr., deposed.

Henry Bayly, aged about seventy years, deposed.

John Tuck, aged about thirty years, deposed that going by David Perkins' shop, he saw Goody Jonson's boy Butmon fetch Mr. Hale's cows, etc. Sworn, Feb. 24, 1678, before Daniel Denison.*

Thomas Patch and John Herrick deposed.

Meary Hares, wife of Samuell Hares, testified that she heard Goodman Astten say that the cow was beaten enough to kill any cow, and Mr. Healle hearing him said "as Joob

* Autograph.

Annis and Simon Hoare were sentenced to be whipped by the constable in a house at Beaverley with a birch rod, before three or four of the selectmen, six lashes each.

John Wooddam's will being produced in court without proof, court appointed the relict, Mary Wooddam, as administratrix, she to enjoy the estate while she lived, and upon her death the estate was to be the property of her daughter Mary Eyr, the only child of the said John Wooddam.

Mr. Richard Croad was licensed to continue to sell cider and beer until the Salem court.

Whereas the land of John Soolart was bound for the payment of his children's portions, and it being in Ezekiel Woodward's possession, it was ordered that the produce of what their portions amount to be paid by him yearly.

John Lunt dying intestate, the relict, Mary Lunt, was appointed administratrix.

Joseph Morse dying intestate, the relict, Mary Morse, was appointed administratrix, and ordered to bring in an inventory.

Joseph Kilburn and his wife were fined for fornication.*

John Browne was fined for being drunk.†

John Dent was sentenced to be whipped for fornication.‡

Seth Story was bound, with Corprll. John Andrews and Wm. Goodhue as sureties, concerning an action against him about raising a house at Chebeka, unless the General Court should take further order.

Jeremiah Jewett and Nehemiah Jewett, who were appointed 26 : 9 : 1678, at Salem court, administrators of the estate of Edward Carlton, were given liberty to bring in the inventory

said the Lord giveth and the Lord taketh and blessed be the name of the Lord." Sworn, 1 : 2 : 1679, before Wm. Hathorne, § assistant.

Meary Baret, aged about twenty years, deposed that she had been at Jonson's house eight months and had never seen Goody Jonson strike a cow. Sworn, 1 : 2 : 1679, before Wm. Hathorne, § assistant.

*Rowley presentment.

†John Brown, the drummer. Wit: Old Goodwife Phitts.

‡John Dent, Mr. Epps' man, presented for improper relations with a "negar" of Mr. Pinchon's.

§ Autograph.

to the next Ipswich court in September, with respect to the estate in New England.

Wm. Lake was licensed to brew ship beer and to sell beer in his house at a penny a quart, according to law, for one year.

Nathaniell Rogers and Martha Rogers chose their uncle Mr. Wm. Hubbard as their guardian.

Ordered that no person should sell or give to John Browne, the glazier, any strong drink or strong liquor, and should any ordinaries suffer him to come or stay in any of their houses and so obtain such drink, they would do it at their peril. This notice was to be posted at the meeting house and ordinaries.

Whereas an account has been referred to this court by Ezeikiell Northen, John Acie, Daniell Wicom and divers Rowley subscribers to the complaint against Mr. Samuall Phillips for saying in open congregation at Rowley the last Lord's day that they were false witnesses in testimonies they gave in to Major Genrll. Denison, charging said Phillips with high reflections upon authority, court judged Mr. Philips to have spoken inadvisedly and very injuriously to their great reproach, and the discouraging of witnesses in cases of like nature which ought not to be permitted, and he was fined. And whereas by sufficient testimony he was charged with reflecting and reproaching authority which he denied, court having no small regard for his protestation, sentenced him only to be admonished and pay the costs.*

*Petition to the court, dated Apr. 1, 1679, signed by Ezeikiell Northern,† Edward Hasen,† John Acie,† Andrew Stickny,† Samuall Browne,† Daniell Wicum,† Samuall Mighell,† William Browne† and Humfrey Hobson:† "Honored Fathers: we whose Names are subscribed being tender of your honers reputations soe of our owne Credit could doe noe other for the vindication of our suffring names then exhibit this our humble complaint to your honers for the reparation of y^e same; humbly hoping that hearin we shall be accounted noe offenders: your honers may be Informed that in obedience to athorytey we gaue in euedences about y^e Reuerent M^r Philips his reflecting and speaking against Athorytey (as we conceiue) which euedences as they are sworn soe we still affirme to be certainly true,|| euey one in peticular || which

† Autograph.

testimonies (to our great admiration) are peremtorily denied and disowned by M^r Phillips, and we rendred publicly befor y^e hole Congregation of Rowley (on y^e last Saboth) noe other then perjured persons and false swearers and that befor some strangers, to the great Damage of our reputation, and though we can with all good concience plead our sincerity and as to what we haue sworn before god and Athority yet M^r Philips is pleased to report that y^e worshipful Major Genrall should say that he thought that our euedences wear fals when we went to give them in to him these things as they darken our reputation amongst those that are sober and honest soe they will be a reall discouragement to us for y^e future for discouring any Reproaches which may be cast upon your honers unles we can be admited to haue a canded hearing in order to the vindication of our Inocency."

Bill of cost against Mr. Phillips.

Ezekiell Mighill, John Stickny, Phillip Nelson, Samuell Platts, Abell Platts, Caleb Bointon and John Pearly, deposed, that at Rowley meeting the last Lord's day, after sermon and prayer and blessing concluded, Mr. Phillips stayed the congregation and informed them that sundry persons had complained of him to authority. He signified that those persons had been false witnesses concerning what was testified about judges defending sin to the sword's point and speaking of them as tormentors. Mr. Phillips said he never mentioned the word Judges in that sense, except a proof from the book of Judges, nor the word tormentors. Sworn in court.

Maximilion Jewet,* John Johnson,* Tho. Tenny, sr.,* Thomas Leaver, sr.,* John Pickard,* Thomas Burkbee,* James Bayley,* William Tenny,* Thomas Leaver, jr.,* John Tod,* John Burbanke,* John Bayly* and Joseph Boynton* testified, Apr. 1, 1679, that the day that Mr. Nelson was censured by the Church, as an aggravation of one of Nelson's offences "our teacher added thes folowing words your unbrotherly or unchristian carriage in hailing brother Leauer to the Court after he had made three confessions two to many: and we doe possetiully affirm that thes words affore said of our teacher were thus conveyed together by him: Before the word tormentor was used by our teacher which was named by him toward the latter end of his speech || as to that percuicion || and the text eightenth of mathew was named wher that expression is used." Sworn in court.

William Browne,* Samuell Mighell,* Ezekiell Northend,* Edward Hazen,* Joseph Plumer and Humphrey Hobson* testified that they were present on Lord's day, Nov. 3, when Mr. Phillips was laying conviction of sin before Mr. Phillip Nelson, and among other things aggravating the offence of

* Autograph.

Mr. Nellson's, having Goodman Leavour to court for charging him with blasphemy. Mr. Phillips used these expressions, that Goodman Leavour had made three confessions which were two more than he needed, and yet for all that Mr. Nelson would not take satisfaction but haled him before the tormentors. Sworn, Nov. 5, 1678, before Daniel Denison.*

Richard Holmes, Samuell Myghell and Caleb Bointon testified that they heard Mr. Phillips say that the testimonies before the Major General were false and the latter counselled him to testify against them. These were testimonies concerning Mr. Phillips speaking against authority. Sworn, Dec. 11, 1678, before Daniel Denison.*

Mr. Anthony Ashbee deposed that he was at Mr. Phillips' house and the latter told him that the Major General said when they were testifying that he thought they were lies, "but I must giue men their oathes when they com to be sworn because of my place." Sworn, Dec. 11, 1678, before Daniel Denison.*

Daniell Wickam and John Acie deposed that at Rowley meeting Mr. Phillips speaking of the sinfulness of sin, referred to some who would speak blasphemy and then sue a brother for saying that he did so, though in a matter of truth. Then he showed what a sad thing it was when sin should be punished by the Judges, that at the same time those who should punish sin stood up as attorneys to plead for sin, and justified the guilty and condemned the innocent. This was in relation to Mr. Nelson suing Goodman Leaver. Sworn, Nov. 5, 1678, before Daniel Denison.* Abraham Jewet testified to the same.

John Acie, Andrew Stickney and Samuell Brown testified. Sworn, Nov. 5, 1678, before Daniel Denison.*

Corporal Northen and Joseph Plumer, sr., deposed that at Northen's house, said Plumer was telling Goodman Tod, etc. Sworn, Dec. 11, 1678, before Daniel Denison.*

Thomas Leaver, sr., deposed that he took down some headings of the sermon that Mr. Phillips preached on Sept. 29, etc.

Ezekiell Mighill, John Stickny and Samuell Browne deposed.

John Johnson* testified that he took notes of the sermon and in speaking of how men may partake of other men's sins, Mr. Phillips came to a 10th particular which was that "we partake in other mens sins when instead of Reproueing we aprooue of the sin of others and this was done in 3 things, when we take pleasure in the euill actions of Others. 2 when we flatter men in euill doings. 3 when we defend and excuse mens sins as if we would take upon us to be atorneys and advocates to plead for them 17 pro : 15 yea some will defend

* Autograph.

Lawrence Clenton, presented upon instigation of Samuell Hunt and not proved, was allowed costs.*

Court ordered that three pence per week be taken off from the amount which John Hunkins was ordered to pay to Wm. Hayward for the keeping of the child, and that for the future he should pay 1s. per week until the court take further order.

Twenty shillings were paid by the marshal to the house for the last two courts and 3s. 4d. to Abraham Perkins.

In answer to Mr. Jerimy Hubbert's petition, court having heard the demand of Mr. Hobart and the testimony of Mr. Cobbit and Mr. Wm. Hubbord, together with the answer of the selectmen of Topsfield concerning an engagement proffered Mr. Hobart to induce him to accept their call to the ministry in Topsfield, court judged the engagement to be of force and required the selectmen and the inhabitants to pay forthwith to Mr. Jerimy Hobart 60li. or so much land

the sin of others by the swords poynt as the benjamite, tooke up armes to defend the gibeonites 20 Judges herby they did in a high degre partake in their sin."

*Thomas Borman, aged thirty-four years, testified that in the year when Lawrence Clenton lived with him as a servant, the latter mowed grass between the land of Samuell Hunt, sr. and deponent and carried it away. Sworn in court.

Presented for taking a false oath. Wit: Samuell Hunt, sr., Samuell Hunt, jr., Elizabeth Hunt, sr., Elizabeth Hunt, jr. and William Hunt.

List of presentments, dated Apr. 1, 1679, signed by William Cogswell,† in the name of the rest of the grand jury:

John Pulsepher, for breaking open the barn door of James Chute, jr., breaking the lock, taking his oxen and working them contrary to his knowledge and order. Wit: Thomas Harris, sr., his wife and his son John.

William Hodgken, sr., for excessive drinking on a training day. Wit: Seth Story and Samuell Ayres.

Nathaniell Jacob, for taking swine and killing a swine that Moses Haggett claimed. Wit: John Dane, jr., Anthony Potter and Edmund Potter.

John Chub, for helping to raise a house at Chebacco that was intended for a meeting house, he manifesting as much in his complaint to Mr. Willson and Goodman Rust.

Hanah Adams of Newbery, for fornication.

Richard Holmes' wife, for striking her husband, as she told John Tod of Rowley, one of the grand jury.

† Autograph.

worth that amount. They were also ordered to put into good and sufficient repair the ministry house in Topsfield where their minister Mr. Hobart now lives, together with the outhouses and fences about the land. Also they were to take effectual care that the 60li. per annum allowed for the maintenance of the minister be paid to him or his assigns that it may be a testimony of their readiness to discharge their duty to God by their honorable maintenance of their minister according to their ability.

Whereas by order of Ipswich court, Sept. 25, 1677, John Browne was to pay his two sisters Martha and Sarah 10li. each and 21li. to his mother, upon consideration of the petition of said John Browne and the testimony of Andrew Birdley, Nathaniell Browne and Mary Lambert, court ordered him not to pay the said amounts.*

*Petition of Jno. Browne:† He "apprehends that when y^{or}. Honors setelled the estate which my Father Left y^{or} Honors were not writely informed of my Fathers minde nor in what condition my father Left and had disposed of his Estate. . . . my Father did in the time of his Life settell my Brother Nathaniell upone a better Estate then he Left to mee and my father gaue thirty pounds to my sister Martha Thorn and willed that I should paie to hir twenty pounds more and my Father gaue to my sister Sarah Jacobs Fiuety pounds, And this was all that my father intended and willed that my Brother and Sisters should haue, And indeed as the Estate is now settelled, the Lest of them will haue more then may proue to be clere from my fathers estate to mee, As in short I shall informe yor Honors As to ye Estat which my Brother Nathaniell now posseses I myself by my laboure and monys which I hired payed a hondred and fiuety pounds of the purchas; & when my Brother Nathaniell maryed my father desired me to Let my Brother haue my intrust in that estete, and I Acordingly did, wher upone my father then promised me yt I should haue the estate which he Liued upone afture his desese, the which quantety of Land is but seuen acors of ould worne out Land, and 4 acors of pasture and nintene of meadow which is uery mene and Lise 4 miles from hom the stock which my father Left was uallewed at about 47 pounds, and yor hnors granted to me administration upone the estate the which I Acepted, and y^{or}honors ordered that I should alow my mother 16 pounds pr yere, And as Loue obedience honer & duty binds me I am frely willing to doe to & for my

† Autograph.

Joseph Pike, administrator of the estate of Thomas Turrill,

mother to the extent of my ability and in order to my fathers will fulfill the same in all respects thorow gods Assistanc, But my Fathers will ware not that I should pay to my sisters ten pounds apese more then my Father had giuen and willed me to pay, yet not with standing yor honors did apoint & order that I should pay to my two sisters tenn pounds a pese & more giue to my mother twenty one pounds for hir disposall to be paid afture hir desease and my fathers estate was Left at his desease in debt foutscore pounds and the hole Estat would not be Lett for aboue tenn pounds pr yere nor is not worth more in estimation, and my mother is remoued from my house & liues with his dafture Sarah to hom the sixteen pounds must be paied in the best that I can produse, and I am freely willing so to doe, yet not with standing the hole estat will not of it selfe produce the quintety, I thus in ye present condision and capasety I am in present my desire to the Consideration of y^{or} Honors that if yor Honors may see cause soe to order the mater that yor petitioner may not pay too his sisters yt tenn pounds apece which was Last ordered to be payd and somthing to Leson the twenty pounds to be given to my mothers disposall to be paied afture hir desease."

Copy of the record of Ipswich court, Sept. 25, 1677, relating to administration upon John Browne's estate, made by Robert Lord,* cleric.

Nathaniell Browne, aged about twenty-five years, deposed that not long before his father Jno. Browne died, he used to speak to deponent about the woman who is now the wife of his brother Jno. Browne. Deponent told his father that there was much love between them and she was a very suitable person for a wife for his brother, but his father said he was not willing that John should marry her. His father then said that he thought he should not live long and would give to his son John all his living, both land and stock, he to maintain his mother and pay to Martha Thorne, his sister, 20li.; he had given to deponent all he had intended he should have and had paid to his daughter Sarah Jacobs 50li. which was all she should have, and to his daughter Thorne 30li., and 20li. more she should have from John, if the father did not live to pay it. Mary Lambert, aged twenty years, deposed that she heard her master Browne speak these words. Sworn in court.

Andrew Borlay, aged about twenty-one years, deposed that when he lived with old Goodman Browne, etc. Sworn in court.

* Autograph.

was ordered to pay the debts as far as the estate will go, a return having been made by the committee appointed to find out the amount of the estate.

Mr. William Symond dying intestate, the Honored Governor Symon Bradstreet, Esq., Major Hathorne, Esq., and the clerk, on June 17, 1679, appointed Mrs. Mary Symonds, the relict, and Mr. Jonathan Wade, administrators, who were ordered to bring in an inventory to the next Ipswich court. Mr. Jonathan Wade bound.

COURT HELD AT SALISBURY, APR. 8, 1679.

Grand jury: Henry Brown, foreman, Jno. Cleford, sr., Godfrey Deareborn, Abraham Cole, Henry Deareborne, Jno. Ilsly, Jno. Stevens, sr., Jno. Gill, Peter Foulsham, Edmond Elliott, Jno. Weed, Robert Eyer and Tho. Eyer.

Jury of trials: Nath. Weare, foreman, Willi. Buswell, Tho. Mudgett, Jno. French, Nathll. Easman, Peter Eyer, Josiah Gage, Henry Moulton, Edw. Gove, John Barnard, Theophilus Dudley and James Kid.

James Davis v. John Wells. For said Wells' tenant, Jotham Hendrick, keeping possession of five acres of land in the great plain of Haverhill, sold to plaintiff by deed dated Apr. 2, 1678, and for which he received no rent. Verdict for plaintiff, the land sued for.

Daniel Thurston of Newbury, attorney to James Davis, sr. of Haverhill. For a 120li. "tooke caution" by mortgage to secure him for being molested about the debt, but since

Bond, dated Dec. 24, 1667, given by Edmond Bridges* to William Paterson, for 2li. 12s. in wheat at 4s. 6d. per bushel at said Paterson's storehouse in Ipswich. Wit: Jeremiah Belcher* and John How.* Acknowledged before Robert Lord,* cleric.

From Samuel Dalton's Commissioners' Records. See *ante*, vol. 5, p. 235. Ensign Steven Greenleaf of Newbury and Ester Swet, widow of Captain Swet, were married Mar. 31, 1679.

On Mar. 10, 1678-9, Nicolas Noris, convicted for being distempered with drink sometime in the beginning of this winter, was fined.

On Mar. 25, 1679, Bily Dudly was fined for telling a lie in his discourse with Ensign Samborn on Mar. 10, whereby he deceived said Samborn of 2s., also for vain swearing. He was to return the money and make acknowledgment before the present assembly that he was very sinful in swearing vainly or offering to swear when he knew his evidence was vain.

* Autograph.

had been prosecuted and the account recovered against him so that said Thurston was compelled to sue for possession of the land, meadow and commonage in Haverhill made over and sold to him. Verdict for plaintiff.

Wm. Osgood v. Phillip Challis, Wm. Barns and Samll. Worster and Susanna Whitridg, administratrix of the estate of Anthony Colby, deceased. For not making good a covenant which he made with the town of Salisbury, concerning a grant of land and the erection of a sawmill. Verdict for defendant.

Capt. Walter Barefoot v. Christopher Palmer. Review of a case tried at Salisbury, Apr. 9, 1678, concerning the breach of a bond of arbitration, in which Jno. Redman, attorney, and Richd. Bradley were bound. Withdrawn.

Hugh Marsh v. Wm. Hilton. Debt. For 10 M feet of pine boards which should have been paid at Lamprele river landing place. Verdict for defendant.

Town of Haverhill v. Robert Swan. For inclosing in his land a town highway by fencing between his land and that of Tho. Davis, which highway leads from the common highway to the west bridge and thence down to a place where a sawmill formerly stood near Ensign Pecker's now dwelling house. Verdict for defendant.

Town of Haverhill v. Robert Swan. For fencing in near his present house a common highway belonging to the town, keeping the inhabitants from the use of it, and notwithstanding the town's complaint about five years since, has again stopped up said way, which is commonly called Bartholomew Heath's cart way and leads from Henry Palmer's to the west bridge behind the said Swan's house, and to the northward of several house lots between Palmer's and Swan's. Verdict for defendant.

Court ordered that Haverhill attorneys should have their papers delivered to them in the cases against Swan because the jury nonsuited them for want of legal attorneyship, which they alleged in court was their reason for finding against them.

Mr. Jno. Groth v. Tho. Mudgett. For withholding pay due him as a chirurgeon in curing one of defendant's apprentices, Samll. Getchell, in September and October last, and for medicine. Verdict for defendant.

Samll. Felloes v. Abraham Brown. For withholding a debt of seven pounds due upon a bond of arbitration, Jno. Clough and Ephraim Winsly being arbitrators. Verdict for plaintiff. Appealed to the next Court of Assistants. Hen. Brown, sr. and Abraham Brown bound.

Robert Downer v. Mr. Jno. Stockman. For not satisfying him for work done for him in 1678, felling timber, hewing and framing and setting up a house for him, 24 feet long and 20 feet in breadth, now standing to the northward of the former dwelling house, also other finishing work done to said house and cellar under it, cutting out passages from one room to another. Nonsuited.

Robert Downer v. Jno. Hendrick. Review of a case tried at Hampton court, Oct. 9, 1677. For not paying him for a month's work about three or four years ago when he was framing or building a house for Hue Marsh at Nubery. Withdrawn.

Capt. White v. Wm. Sargent. Trespass. For cutting and carrying away the timber of said Paul White from his land in Amsbery without his knowledge. Verdict for defendant. Appealed to the next Court of Assistants. Mr. Tho. Woodbridg and Jno. Allin bound.

Capt. White v. Jotham Hendrick. Trespass. For cutting and carrying away timber of said Paul White in Amsbery. Verdict for defendant. Appealed to the next Court of Assistants. Tho. Woodbridg and Jno. Allin bound.

Capt. White v. Josiah Heath. Trespass. In cutting and carrying away a quantity of cedar from plaintiff's land in Amesbury. Verdict for defendant. Appealed to the next Court of Assistants. Mr. Thos. Woodbridg of Nubery and John Allin of Salisbury bound.

Joseph French v. Jno. Griffyn. For not paying him 55 shillings. Withdrawn.

Danll. Ela v. Robt. Clements. For withholding pay due by book. Special verdict. If the law entitled "book debts" allowed the evidence in this case to stand, they found for plaintiff, in corn, cattle or staves, if not, for defendant. Court gave judgment for plaintiff.

Christopher Palmer v. Danll. Tilton. Review of a case tried at Salisbury in April, 1678, in which Tilton was plaintiff

against Palmer, for selling and delivering fifty acres of land near Tayler's river. Verdict for plaintiff, a reversion of the former judgment. Appealed to the next Court of Assistants. Tilton and Redman bound.

Danll. Ela v. Danll. Clements. Debt. Withdrawn.

In the action of Major Pike v. Jno. Wells at the last Hampton court, judgment was entered in this court.

Henry Robye's license to keep ordinary at Hampton was renewed by this court.

Willi. Hackett v. Capt. Nicolas Page. No attachment served.

Joseph Perkins, presented for striking Josiah White, and court being informed that his father had given him correction for his fault, was discharged.

Mary, wife of Samuell Foulson, presented for absence from the public worship of God, was ordered to appear before Capt. Gillman.

Robert Downer acknowledged judgment to Ephraim Brown in white oak pipestaves.

Arthur Benick acknowledged judgment to Hugh March of Nubery.

Upon request of Mr. Tho. Bradbury and Caleb Moody, they were appointed administrators of the estate of Mr. William Bradbury and were ordered to bring in an inventory to the next Hampton court.

John Griffyn of Bradford acknowledged judgment to Joseph French, sr., of Salisbury.

Jno. Stanian was discharged of his presentment made at Hampton court last.

James Davis, jr., in open court renouncing executorship according to his father's will and the rest of his relations being absent or withdrawn, was appointed administrator of the estate of James Davis, sr., late of Haverhill, deceased, and was ordered to bring in an inventory to the next Hampton court.

Tho. Bradbury, Phillip Challis and John Weed, appointed Apr. 8, 1678, at Salisbury court, to divide the estate of Thomas Barnard, late of Amsbury, reported on Apr. 6, 1679, as follows: to the widow Barnard, 200li.; to Tho. Barnard, the eldest son, 83li.; to the remaining eight children, each 41li. 10s.; the overplus, the mother was to have.

John Emerie, sr., aged about eighty-one years, testified that about forty years ago he saw laid out to William Estow then living in Nuberie a four acre lot, being a house lot and twelve acres of meadow, bounded by Great Pine Island creek southerly, land of Toppan, formerly Moulton's, easterly, land of Emerie northerly and land of William Sawyer, formerly Palmer's westerly, between Great Pine Island and Plum Island, which land said Estow sold to William White, and White to Tho. Jones of Hampton, and Jones to deponent for William Ilsly, sr., who has peaceably enjoyed it from 1643 to date. Sworn in court.

Robertt Jones, for suspicion of stealing a parcel of boards from Nehemiah Partredg, was judged by the court not guilty of theft and therefore not culpable on that account, but finding him faulty in taking the boards in a disorderly way was ordered to pay costs.

Whereas Arthur Bennett, Georg Sweett, Elias Cr——, Tho. Stidmun and Mary Jones, wife of Georg Jones, were summoned to appear to answer for their misdemeanors and having defaulted, court ordered that the constable of Exeter bring them before authority to be bound over to the next Hampton court for contempt of authority.

Samll. Colbie's license to keep ordinary for Eamsbery for the ensuing year was renewed and liberty granted him to sell wine and strong waters to strangers.

Cornet Severance's license to keep ordinary for the year ensuing was renewed.

Sam. Watts, presented for quarrelling with Ben. Allin and confessing it, was fined ten groats.

Samll. Gatchel, presented for reeling and staggering in the streets like a drunken man, and other very unseemly carriages, was fined.

Capt. Jno. Gillman's license to keep the ordinary for Exeter was renewed.

Mr. Jno. Groth declared in open court that he impowered Danll. Ela of Haverhill to be his attorney in the action with Tho. Mudget.

Mr. Jno. Groth was allowed by this court to practise physic and chirurgery.

Bartholemew Heath made default and his bond was declared forfeited.

Henry Brown was licensed to sell wine to supply the necessity of sick folk.

Barthol. Heath of Haverhill, presented for two acts of drunkenness and not appearing was bound over to this court, and again making default, sending word that he could not come, was found guilty and fined.

Jno. Allin, complained of for words uttered by him when spoken to about going abroad so suddenly after he had the small pox, was to have a legal admonition.

Mrs. Sarah Stockman's fine, which was imposed because she did not appear at Hampton court as a witness in a presentment against Jno. Eaton, sr., was remitted upon hearing her excuse.

Exeter, being presented for want of stocks, was fined, upon reasons given by Capt. John Gillman.

Susanna Buswell, relict of Isaac Buswell, jr., was appointed administratrix of the estate of Isaac Buswell, and was ordered to bring in an inventory to the next Hampton court and to take good care for the maintenance of the children.

Ten shillings were ordered to the servants of the house and wherever the members of the court had been entertained.

Josiah White, presented for fighting, confessed it, and was fined ten groats.

COURT HELD AT SALEM, JUNE 24, 1679.

Grand jury: Leift. Jeremiah Neale, Frances Scerry, Christopher Babbadg, Hen. West, John Devorix, John Abby, Oneispherus Allen, John Davis, John Burrell, Samuell Johnson, Robert Potter, John Collens and Humphry Woodbery.

Jury of trials: Ensign John Fuller, Mr. Hilliard Veren, Mr. Ben. Gerrish, Jon. Sanders, Joshua Ward, Tho. Putnam, jr., Frances Nursse, William Nick, John Fiske, Joseph Dodg, Will. Hascall, jr., Daniell Huchens, Jacob Knights, Samuell Tarbox and Sam. Cobbit.

Mr. Timothy Lindall v. Robert Starr. Debt. Verdict for plaintiff. Christopher Wadsworth testified that he carried a summons to Boston and inquiring for any place of Starr's

abode heard of none, but left the summons with Mr. Chickly's wife who was said to be Starr's attorney.*

Marke Graves, who married Elizabeth Farrington, widow, relict of John Farrington, late deceased, and administratrix of the estate v. Mathew Farrington, sr. For withholding or refusing to deliver half of the tide mill. Verdict for defendant.†

*Writ, dated 17 : 4 : 1679, signed by Hilliard Veren,‡ for the town of Salem, and served by Henry Skerry,‡ marshal, by attachment of house and land of defendant.

Timo. Lindall's bill of cost, 1li. 12s. 2d.

Jno. Hill and Thomas Woodbery deposed that they being present at Timo. Lindall's house when he made up accounts with Robert Starr about a ketch which the latter had built for Lindall and partners, there remained due to Lindall about 15li. Sworn in court.

Robert Starr, Dr., 9 : 4 : 1677, due 136li. 4s. 5d.; Cr. by a Catches hull built 1677, 116li. 8s.; overcharge, 3li. 6s. 9d.; due, 16li. 9s. 8d., with intrest at 8 per cent., for two years, 46s. 6d.; total due, 18li. 16s. 2d.

†Writ, dated 16 : 4 : 1679, signed by John Wayte,‡ for the town of Malden and served by Jon. Witt,‡ constable of Lyn.

Mathew Farrinton's bill of cost, 2li. 4s. 6d.

Copy of will of Edmond Farrington, dated Aug. 12, 1667, made by Robert Lord,‡ cleric.||

Copy of inventory of John Farrington, taken May 14, 1665, made by Hilliard Veren,‡ cleric.§

Nathanell Hanforth, aged about seventy-two years, deposed that being warned by Henry Rhodes to appear at the Commissioners' court in Line, 14 : 2 : 1663, John Fuller appearing on his father Edmond Farrington's behalf, pleaded that Henry Rhodes showed a wronged man and was nonsuited. Sworn in court.

Henry Rhodes, aged about seventy-one years, testified that he showed Edmond Farrington before the Commissioners for raising the water in Line river whereby his sedge land was damaged. Sworn in court.

Copy of Salem court records, 27 : 9 : 1666, relating to the settlement of John Farrington's estate, made by Hillyard Veren,‡ cleric.

John Fuller and Mathew Farrington deposed that being desired to be present at a contract of marriage between John Farrington and Elizabeth Knight, John's father Edmund was asked what he would give his son. He replied that he would give him half his corn mill, half his upland and meadow and half his cattle. The remainder said Edmund declared he

‡ Autograph. § See *ante*, vol. 3, p. 336. || See *ante*, vol. 4, p. 327.

would keep in his hands and dispose of it at his death as he saw fit. William Bartram, aged about fifty years, deposed. Sworn, Aug. 20, 1666, before John Leveret, assistant. Copy made, June 15, 1668, by Robert Lord,* cleric.

William Miller, aged about twenty-six years, deposed that in discourse between Joseph Jencks and Edmond Farington, standing upon the land, Jencks showed him the bound stake and told him which was his land and which was Elizabeth Farington's. Said Jencks told Farrington that all he desired was that the children might enjoy that part which he was to have for his wife and his maintenance while they lived and that the children of John Farington might have it after the decease of said Edmond and wife. He further said that he never intended to deprive them of it and all the world could not persuade him to do so. Sworn, 22 : 6 : 1666, before Wm. Hathorne.*

Moses Chadwell, aged about twenty-nine years, deposed that, working at the mill from time to time, etc. Mathew Farington had had the meadow in Roublye marsh because John was a "weakly man" and could not go so far as Rumblye marsh. This meadow of John's lay very convenient to the mill, etc. Sworn, 22 : 7 : 1666, before Wm. Hathorne.*

Thomas Browne, aged about forty years, deposed that John Farrington told him that if his father were willing he would pull up the mill and go to a new plantation: "Why sayd I your Father hath done well for you, and hath given you a good estate, Then sayd John Farington to me, cossen you doe not know how it is my Father hath given me but the one halfe of this mill and land." Sworn, Aug. 20, 1666, before Jno. Leverett, assistant. Copy made, June 15, 1668, by Robert Lord,* cleric.

Richard Haven and Thomas Nuehall deposed that they were at the tide mill in Linne with Edmond Farington and his son Mathew and Joseph Jenckes and his mother Breade and her daughter Farington, at the dividing of the mill and land. Jenckes and his sister laid claim to the whole, etc. Sworn in court.

Sarah Witt and Parnell Kertland deposed that Mathew Farington, sr., had kept and maintained his aged father and mother ever since his brother John Farinton died, which is about thirteen years. His mother was a sickly woman a great part of this time and not able to keep herself any more than a child, and was kept like a sick body by reason of her great age. She lived until she was a hundred years old "wanting Two or thare abought" and his father lived until he was four score and eight. Mathew and his wife were very kind

* Autograph.

Robert Knight v. Samuell Leach. Trespass. Verdict for plaintiff. [Defendant owned that the plaintiff had Blindman's right in Gloster. — *Waste Book*.]*

to them and they did not want for anything that was good and needful, as meat, drink and clothing, both in sickness and health. Sworn in court.

Elizabeth Bread, aged about fifty-nine years, deposed that at the making of the match between Jno. Farington and her daughter Elizabeth, now a widow, she asked Mathew if he would not give John the other half at the death of himself and wife, and he said he would, all except the cattle, as John had a stock of horses or horse flesh of his own. Joseph Janckes† of Providence, sometime past of Line, testified to the same. Sworn, 22 : 6 : 1666, before Wm. Hathorne.†

John Floyd, aged about forty-two years, deposed that the year John Farington married Elizabeth Knight, etc. The other half of the property was to go to John's children. Sworn in court.

*Writ: Robert Knight of Marblehead v. Samuell Leach of Manchester; trespass; for cutting a considerable quantity of wood on land formerly Mr. Blindman's, given him by the town of Gloster, defendants claiming it to be in the town of Manchester; dated June 16, 1679, signed by Hilliard Veren,† for the town of Salem; and served by Henry Skerry,† marshal of Salem.

Robert Knight's bill of cost, 4li. 5s. 8d.

Copy of a record of the General Court for Elections held at Boston, May 3, 1642, by which William Hawthorne and Edward Hollioake and Mathew Boyd agreed "wth the consent of Ipswich Cape Anne & Geofferys Creeke that their bounds shall lye as followeth That all the land lying betweene Ipswich & Cape Ann meeting houses shall be divided sixe miles to Ipswich & fower to Cape Ann where there are tenn miles and so by proportion where lesse that is of fiftths: three parts to Ipswich for two to Cape Ann and where there is more then tenn miles the Remainder to lye to Jeofferys Creeke. this to be measured before the next Generall Courte." Accordingly the bounds between Cape Ann and Ipswich are: "at a white oake marked on fower sides about one hundred & twelue rods in a southeast & by east lyne betwixt the meeting house to the southward of chebeaque marshes and from theare by quartering the Compasse by a southwest & by south and by a north east & by north line to be the bounds betwixt the two plantations." Copy made by Edward Rawson,† secretary.

Copy of a record of the General Court held at Boston, May

† Autograph.

15, 1672, by which Thomas Lawthrop and Joseph Gardiner, set the bounds between Gloucester and Manchester at a meeting at the former place, Sept. 19, 1671, as follows: for Gloucester, "we haue run a line upon a west southwest course from Gloucester meeting house fower miles and there marked a Pyne tree which is the bounds at that place betweene the said Townes and from thence upon a streight line to a white oake which m^r Joseph Gardiner formerly sett for the bounds and from thence to another white oake tree at the Coming in of a little Creeke at the east end of a Beach and Manchester to end at the white oake which is by the said Beach and from the Aboue said tree Gloucester to keepe the fower miles untill they meete wth Ipswich line." Copy made by Edw. Rawson,* secretary.

Samll. Gatsshell* and Thomas Nicklson* deposed that they found the bounds of Robert Knight's farm at Kittle Cove to begin "at the Little pond and from thence to a White Oake on the uper side of the Marsh and from thence ouer a plaine to a white oake marked on the brow of a Hill and from thence ouer the Hill on a straight Line to the next Brooke toward Gloster and by the Brooke side into the sea as may appear by the Records of Gloster: which we have compared with the said Markes and find them agreeable." Sworn, Sept. 16, 1678, before Moses Mavericke,* commissioner.

Copy of records of Gloscester, made June 13, 1679, by Thomas Riggs,* recorder: "11th 3m^o 43. M^r Richard Blynmans Farme four score Acres of upland att Kettle Coue giuen and the necke of Land beond the marsh and all the marshe if it bee not 30 Acres and if it be 30 Acres then to haue but 20 Laid out and bounded from the Litle pond aiynninge to the sea and the necke beond the marsh and Two beach trees one by the rocke side by the pond and *and* the other neere to it and from there on a straight Lyne to a white oake marked by the first Coue side that goes into the marshe and soe on a straight Lyne to a white oake marked on the Brow of a hill att the hed of the plaine on this side the marsh and on A straight Lyne to the next brooke and so by the brooke side to the sea and all the marsh."

Jams Stevens and Steven Glover deposed that when they were running the line, Manchester men said Gardner had power to make the bounds where he wished. Gardner replied that he did not come to meddle with the bounds of the farm that was given to Mr. Blinman, for he said that Robert Knight would keep the farm, let it fall on which side of the farm it would. He cited some land up toward Topsfeild. William Sargaint, sr., testified to the same. Sworn in court.

William Sheldon and William Beale, accompanied by some Gloster men, Goodman Persons, Goodman Glover and Good-

* Autograph.

man Prince, at the request of Robert Knight, sr., of Marblehead, ran the line as follows: "wee began at Gloster meeteing house; wee set the Compass uppon a south weast pointe & so wee ranged the woods as neere the same pointe as possible wee could on y^e same pointe till wee came to A greate Rock beinge on y^e north or north weast side or there aboute of A littlee ponde to the pointe of the same Rock, neere Adioyneinge to the path which goeth betwixt manchester & Gloster, wee founde it by Measure from Gloster meeteing house to the Aforesayed rock beeing measured as well as possibly wee Could ackcordinge to our best scill & iugdmente to bee foure miles in length from gloster meetinge house to y^e pointe of the Rock Aforesayed goodman persons & goodman Glover carried y^e line William Beale goodman Glover & goodman Prince kept y^e ackcounte & all Agred in their reckoninge at y^e four miles end as aforesayed & y^e Aforesayed William Sheldon set the Compass & ran the range." They also testified that upon Apr. 5, 1679, Robert Knighte, sr., requested William Bennit and some others of Manchester who were selectmen of Manchester to run the line between Manchester and Gloster, but they refused. Sworn, May 10, 1679, before Moses Mavericke,* commissioner.

John Devoreux, sr., aged about sixty-four years, testified that about thirty-four years ago he cut hay in Kittell Cove marsh and was forbidden by Mr. Blinman, minister of Cape Ann, but they afterwards agreed. Tho. Bowen, at that time servant of Mr. Devoreux, testified to the same. Sworn in court.

Samll. Gatsshell,* mariner, testified that about seven years ago, he ran the line, etc. Sworn, July 17, 1678, before Moses Mavericke.*

Anthony Day, aged about fifty-six years, deposed that when Mr. Blinman lived in Gloster, he had cleared the road several times for the surveyors, etc. William Sergaint, sr., testified. Sworn in court.

Thomas Judkin, aged about fifty years, testified that he had worked on the roads and had marked trees and cleared the way to the pine hill on the westerly side of the little pond. Sworn in court.

John Knight, aged about nineteen years, deposed that last summer he, his father Robert Knight and his brother Robert were at Kittell cove and saw Onisipras Allin and his brother William Allin mowing in his father's marsh. The Allins and Knights agreed when Samuell Leatch came up and Onisipras said "heare is a man that haue cutt a hundred courdes of wood upon yo^r land & you say nothing to him." Samuell Leatch replied that he had cut a great deal and intended to

* Autograph.

Tho. West, John Sibly and John Elletrop, agents or attorneys for the town of Manchester v. Robert Knight. Trespass. Verdict for plaintiff.*

cut a great deal more. Robert Knight, aged about sixteen years, testified to the same. Sworn in court.

James Stevens, aged about forty-eight years, testified that thirty years ago he helped clear the highway between Gloster and Manchester, etc. Sworn in court.

William Beale, aged forty-nine years, deposed that about eighteen years ago, as the deputy of Mr. Samuell Archer, the marshal, he served an attachment upon some of the creek inhabitants, etc. Goodman Knight argued that what the creek men did upon his farm, they did it in "hagger mugger" and very dishonestly, etc. Sworn in court.

*Writ, dated 16 : 4 : 1679, signed by Hilliard Veren,† for the town of Salem, and served by Henry Skerry,† marshal of Salem. Bond of Robard Knight.†

John Norman and Ledia Bishop deposed that, in 1651, said Norman and Isaac Foot were employed by the town of Manchester to look after cattle which were wintered upon the land now in controversy, etc. Sworn in court.

John Sibly and Robert Leach deposed that the committee from the General Court who settled the bounds were Capt. Thomas Lathrope, Lt. Samuell Apleton and Mr. Joseph Gardner. Sworn in court.

Samuell Leach and John Sibbly deposed concerning carrying away timber from the land. Sworn in court.

Town of Manchester's bill of cost, 3li. 11s. 2d.

Copy of a record of the General Court at Boston, 13 : 3 : 1640, made by Edward Rawson,† secretary: "The petition of the Inhabitants of Salem for some of their church to haue Jeofferys Creeke & land to erect a village there; for m^r william walton John Blacke Willi. Allen, Sam. archard George Norton & Compa what land & inlargement may be convenient, and is not granted to any other Plantation is granted them and It is referred to m^r John Winthroe Jun & M^r Symon Broadstreete to settle the bounds of the said village."

William Walton,† John Blacke,† Willm. Allen,† Samuell Archard,† George Norton,† William Dicksie,† John Sibley,† James Standidg,† John Freind,† John Pickworth,† John Gally,† Benjamin Parmiter,† Robert Allen,† John Norman,† Edmund Grover,† Pascay Foote† and Willm. Bennet,† "belonging to y^e Church & Towne of Salem (being straitned in our accomodations, so y^t we are not able comfortably to subsist, hauing advised & taken counsel about o^r present state & condition

† Autograph.

Benjamin Marshall v. Samuel Pippen. Trespass. Verdict for plaintiff. Appealed to the next Court of Assistants. Defendant bound, with Mr. Tho. Norman and Henry Williams as sureties.*

it being iudged fitt, & free libertye being graunted us to remove, & no place being so convenient for o^r easy removal, as Jefferyes Creeke, lyinge so neere us, & most of us hauinge some small quantitie of ground allotted to us there alreadye:) doe therefore iontly & humbly request this Honored Court to giue us power to erect a village there — to allow us such enlargement thereabouts, as is not graunted to any other plantation." Referred to Mr. John Winthroe, jr. and Mr. Symon Bradstreete to settle the bounds, 14 : 3 : 1640, and signed by Increase Nowell,† secretary, for the court.

Samuell Allen and Roberd Leach testified. Sworn in court.

Nicolas Vincson and Samuel Allen testified that the land had been enjoyed by inhabitants of the town of Manchester since 1640, etc. Sworn in court.

On June 9, 1679, the town of Manchester appointed Thomas West, John Sible and John Eletrop as agents in this action. Copy made, June 20, 1679, by Sam. Freind,† clerk of the selectmen.

*Writ: Benjamin Marshall v. Samuel Pippen; trespass; for felling and disposing of the timber that stood upon the land that Samuel Cogswell leased to Pippen, which lease was assigned to Benjamin Marshall, the latter having purchased said Cogswell's right; dated June 3, 1679; signed by Robert Lord,† for the town of Ipswich; and served by Robert Lord,† marshal of Ipswich, by attachment of a house of defendant on land that was formerly Samll. Cogswell's. Bond of Samuel Peppent†.

Benjamin Marshall's and Samuel Pippin's bills of cost, 4li. 9s.

Copy of lease, dated Jan. 5, 1677, given by John Cogswell of Ipswich, administrator of the estate of Samuel Cogswell, late of Ipswich to Benjamin Marshall of Ipswich, shipwright, for money, goods and cattle, also one bill to discharge said Cogswell of the rent of the meadow at the Island to Abraham Perkins, and 5s., land in Ipswich beyond Chebacco river, except land at the Island sold to Abraham Perkins by Samuel Cogswell, it being a part of the farm his father had by lease of one thousand years from the town of Ipswich, bounded by Chebacco river on the northwest, John Cogswell's land on the northeast, from Wm. Tompsons corner, being a crotched maple tree marked on two sydes, and so running up to Gloster

† Autograph.

Line, the next marked tree being an hemlock and three more white oakes, all marked with three notches on either syde on a strait lyne from tree to tree Gloster Lyne on the east as it is bounded in the grand lease common Lands at Ipswich toward the south, William Andrews land toward the west;" he was to pay to John Cogswell for the use of the school of Ipswich yearly 46s. 8d., in butter, cheese, beef, corn, etc. Wit: William Goodhue, jr., and Phillip Fowler. Sworn, Feb. 28, 1677, before Daniell Denison. Recorded, Mar. 5, 1677, and copy made by Robert Lord,* recorder.

William (his mark) Story, sr., and Thomas Low* testified that they appraised the damage to the land, being rocky and swampy and not fit for corn nor cleared of anything but the timber, in timber that might have been used to make boards at 24li., and two pine trees for mainmasts, one for a ship and the other for a ketch, and nine pine trees more for masting, yards, bowsprits and windlasses for two vessels at 3li. 4s., seven great white oaks appraised at 1li. 8s., one tree for posts, 2s., three poplar trees, 6s., two maple trees at 5s. Damage by cutting down several thousand young trees for hoop poles which they found lying on the ground, the stumps of many of them about four feet high. The total damage was 31li. 5s. Sworn, June 21, 1679, before Daniel Denison.*

Daniel Denison's* order, dated Oct. 6, 1679, to Mr. Veren to deliver the original lease to Benjamin Marshal.

Isaac Foster, aged twenty-three years, deposed that Samuell Pepene told him that Benjamin Marshall intended to turn him out of the farm, etc. Sworn, June 21, 1679, before Daniel Denison.*

The four pine trees that William Thomson had of Pipin were not included in the appraisement.

John Cogswell,* on June 21, 1679, discharged Samuell Pipin of all damages on the land that was his brother, Samuell Cogswell's, by felling timber before June 1, 1677. Wit: Thomas Low* and William Goodhew.* Sworn, June 21, 1679, before Daniel Denison.* Owned, June 23, 1679, by John Cogswell before Daniel Denison.*

Robert Cross, jr., testified that Pepen told him that he would hire a man to cut all the timber on the farm on purpose to destroy it if it cost him ten pounds, for he was resolved to make a devil of Ben. Marshall before he had done with him. Sworn, Apr. 12, 1679, before Daniel Denison.*

Robert Cross, jr., testified that he heard Samuell Pepen give Ben. Marshall leave to cut timber when the latter was building his sloop. Also that Pepen sold deponent a canoe tree that grew upon the north side of a hill amongst ledges of rocks. Sworn, Apr. 12, 1679, before Daniel Denison.*

* Autograph.

Phillip Prance and Rachell, his wife v. William Lattamore.
Slander. Verdict for plaintiff. Withdrawn.

John Choube testified that he went with Marshall to that part of the farm called the new pasture, etc. Sworn, May 23, 1679, before William Browne,* commissioner.

William Andrews testified that he helped Pipin cut and carry away fifteen or sixteen thousand feet of boards, also staves which were made from the oak trees, etc. Sworn, June 21, 1679, before Daniel Denison.*

Samuell Pepon, aged about thirty-five years, deposed that, when Cogswell let him his land in 1673, he said that his bound between his land and Ipswich common, at the corner next Gloster line, was a pitch pine tree. Samuell Cogswell also said that when he sold Corporal Andrewes' land which is now William Andrews' they would not have the land laid out until they knew his bounds, and then in 1671 the selectmen came, ran the line and marked a pitch pine at the fresh meadow side. Samuell Cogswell also said that in 1672, men came and marked a maple tree, which he protested against as a bound tree. Sworn, June 19, 1678, before Daniel Denison. Copy made by Hilliard Veren.*

John Cogswell and William Goodhew, jr., testified that Story and Low showed them the trees felled from the head of Witreg's creek to the maple tree. Sworn, June 23, 1679, before Daniel Denison.*

John Burnum, jr., deposed that of the logs that Samuell Pippen brought to his father's sawmill, his father was to have half of the 4,000 feet which they made. Jeams Coalman helped draw some of the logs. Sworn, June 21, 1679, before Daniel Denison.*

Shoreborne Willson testified that Pepin sold him white oak timber enough to make 4,000 barrel staves and heading in Aug., 1677. Sworn, June 21, 1679, before Daniel Denison.*

William Story, sr., and Thomas Low, sr., deposed that they did not appraise any rail timber or cord wood, etc. Sworn, June 21, 1679, before Daniel Denison.*

Samuell Story testified that his father and Thomas Low, sr., appraised the damage, and he helped them, etc. Sworn, June 21, 1679, before Daniel Denison.*

William Thomson deposed. Sworn, June 21, 1679, before Daniel Denison.*

James Collman testified to helping Pipin, etc. Sworn, June 21, 1679, before Daniel Denison.*

William Thomsonn, aged thirty years, William Story, sr., and Thomas Low deposed. Sworn, June 21, 1679, before Daniel Denison.

* Autograph.

Daniell Gott v. William Lake. Debt. Defendant died before the case was called.*

Andrew Woodberye v. Thomas Greshon. Withdrawn.†

Walter Fairefeild, attorney to Wm. Browne, sr., executor of the will of Samuell Smith v. Richd. Hutten. Verdict for defendant. Appealed to the next Court of Assistants. Said Fairefeild bound, with Tho. and Nathaniell Jacob as sureties.‡

*Writ, dated 25 : 2 : 1679, signed by Hilliard Veren,§ for the town of Salem, and served by Ja. Poland,§ constable of Salem, by attachment of the orchard of defendant.

†Writ: Andrew Woodbery v. Thomas Greshon; for fraudulently carrying away William Hiens out of the country after he was legally warned to the contrary, said Hiens being a servant to said Woodbery, and Greshon concealing him on board when he was being searched for; dated Mar. 27, 1679; signed by Ephraim Turner,§ for the town of Boston; and served by Joseph Webb,§ marshal of Suffolk, by attachment of the dwelling house of defendant.

‡Writ: Walter Fayerfield, attorney to Mr. William Browne, sr., executor of the will of Mr. Samuell Smith v. Richard Hutten; for mowing 3 acres of meadow and swamp that belonged to said Smith, and on the west side of the river, a part of the land that was Jams Smith's, and using it as his own; dated 17 : 4 : 1679; signed by Hilliard Veren,§ for the town of Salem; and served by Charles Gott,§ deputy for Henry Skerry,§ marshal of Salem, by attachment of the houses and land of defendant on the north side of the country road.

Walter Fayerfield's bill of cost, 3li. 4d.

Richard Hutten's bill of cost, 15s.

Copy of will of Samuel Smith made by Hilliard Veren,§ cleric.

John Poland testified that Hutten had enjoyed the swamp in controversy about twenty-three years. Sworn in court.

Deed, dated 29 : 3 : 1656, given by Samuell Foster|| of Wenham to Richard Hutten of Wenham, for 9li. 5s., five acres of upland, with a boggy swamp adjoining, in Wenham, bounded by the late John Fayerfield's farm on the northeast, the meadow on the southeast, land belonging to Mr. Brown's farm on the southwest and upon the highway on the northwest; also 10 acres of upland, 3 1-2 acres of meadow in Wenham, bounded by Austen Killim's land on the east, Hutten's land on the north, Mr. Fiske's meadow on the southwest, "the Aforesaid medow Lyeth in two pcills: two Akres wherof Lyeth in Common with four Akres more Bounded By the Abouesaid Ten Akres of upland Northward & m' fiskes medow

§ Autograph.

|| Autograph and seal.

westward: the other Akre & an halfe Lyeth within the Great meadow Bounded By the Great Swampe on the East & on Robert morgins meadow on the west & upon Late John Fairfields meadow on the south & upon the Aforesaid Richard Huttun's meadow on the North." Wit: Thomas Fiske* and Thomas White.* Acknowledged by Samuel Foster, 9 : — : 1658, before Daniel Denison.*



Alexander Maxey, aged about forty-five years, deposed that he lived about nineteen years on the farm that Mr. William Browne, sr., of Salem had the disposing of, which is said to be the land that was Mr. Samuell Smith's, and in that part of it was that formerly James Smith's. The meadow that lay by the river was part of that meadow or swamp that is called the Beaver Hole meadow, which meadow he had enjoyed with John Killam until about nine years ago. Richard Hutten desired deponent to allow him to mow the meadow and he would pay him, but after he let him have it, deponent said he would mow it himself, whereupon Hutten told him not to meddle with it for he had possession of it. The land is bounded on the east with the river, on the north with a little brook between Walter Fairefeild's meadow and the land itself, on the south with the upland and on the west with Bever hole. Sworn in court.

Copy of depositions in a similar action, 25 : 4 : 1678, made by Hilliard Veren,* cleric.

Thomas Hobbs, aged about fifty-four years, deposed that about twenty-eight years ago, Roberd Haws lived at Wenham

* Autograph.

Mr. Wm. Longfellow v. Ezekiel Northen and John Pickard, sr., of Rowley, as lot layers and men appointed by the town to divide land. Verdict for plaintiff, the land in controversy, viz., the proportion of land in Merimak that belongs to the three acre lot in Rowley town according to town order. Appealed to the next Court of Assistants. Defendants bound, with Nehemiah Juett and Daniell Wicom as sureties.*

in John Fayerfield's house and improved the land and two or three years following, deponent mowed for said Haws to the south as far as a little run that comes out of Beaver hole meadow and to the west to the bushes about 40 rods, etc. Sworn in court.

Mathew Edwards, aged about forty-seven years, deposed that when he lived with his uncle John Fayerfield at Wenham thirty-eight years ago, said Fayerfield and Mr. Joseph Bachelder owned the ten acres that had been Samuell Aborn's, which his father Jams Smith was said to have given him out of his farm of eighty acres and there was no meadow belonging to it then. Afterward he helped Peter Paulfry and Richard Pettingell about twenty-seven years ago to divide this land, they then being the owners, and there was neither swamp nor meadow on the south side, etc. Sworn in court.

Thomas Fisk, aged about forty-nine years, and Thomas Pach, aged about forty years, deposed. Sworn in court.

John Killam, aged about fifty-two years, deposed that he hired of his brother Richard Hutten the third of the farm which Mr. William Brown let to Alexander Maxey and himself, and from the west side of the river down to the brick-kiln, etc. He mowed the meadow twenty-three years. Sworn in court.

Walter Fayerfield, aged about forty-eight years, deposed. Sworn in court.

John Kilam, aged fifty-two years, deposed that Richard Hutton had possessed Beaver hole swamp for more than twenty-three years. Sworn in court.

*Writ: Willm. Longfellow of Newbery v. John Pickard, sr., and Ezekiel Northen of Rowley, lot layers, appointed to divide land to the value of 350li.; for not laying out his proportion of land called Merrimack land, according to town order of Dec. 20, 1658, which belonged to the right of Mr. Henery Sewall, sr., and was purchased by him of Mr. Edward Carleton of Rowley, and conveyed by Sewall's heirs to said Longfellow; dated June 19, 1679; signed by Thomas Leaver,† clerk of the writs for Rowley; and served by Jeremiah Els-

† Autograph.

worth,* constable of Rowley, by attachment of houses and land of defendants.

Defendants' bill of cost, copy of Mr. Worcester's deed, etc., 2li. 17s.

William Longfellow's bill of cost, 2li. 16s.

John Burbank and Amie Cooper, both of Rowley, deposed that Thomas Sumner was both a purchaser and an inhabitant in Rowley and Thomas Elithrop married Thomas Sumner's widow and lived several years in the same house which was Sumner's. Also that Elithrop had purchased land in Rowley before he married her. Sworn in Ipswich court, 26 : 1 : 1672, and copy made by Robert Lord,* cleric.

Jeremiah Elsworth, constable, deposed that he saw Mr. William Longfellow tender 3s. of money at the hands of Ezekeel Northend for pay for one day's work on land he desired to be laid out at Miremake which was received by one of his daughters, also 3s. at the hands of John Pickerd said Longfellow tendered, etc. Sworn, June 24, 1679, before Jo. Woodbridg* and William Browne,* associates.

Receipt, given by Ed: Carlton* to Mr. Henry Sewall, sr., for 45li., for houses, land and commonage.

Ezekeel Northend and John Pickard testified that the land which Mr. Henry Sewall sold to Samuell Worcester was the same land that they as lot layers laid out to Mr. Edward Carlton, and now sued for by Mr. Longfellow. Sworn in court.

Andrew Hidden, aged about fifty-five years, deposed that Mr. Henry Sewall, sr., died possessed of the house which was formerly Mr. Edward Carlton's, and for several years in his lifetime improved his gates both in the common and oxpasture by keeping a flock of sheep upon them. Sworn, June 24, —, before Jo. Woodbridge,* assistant.

Robert Lord, cleric, certified that in Mr. Henry Seawall's inventory on file in Ipswich court records of his estate at Rowley there were nine gates appraised by Joseph Jewett, Mathew Boyce and John Tod, which inventory was delivered into court Mar. 25, 1656. Copy made by Hilliard Veren,* cleric.

Edward Carleton of Rowley certified that he sold to Mr. Henry Sewall, sr., of Newbery one dwelling house, barn and other houses, with three acres of land, in Rowley, nine gates in the town commons, which he had liberty to stock with four-score sheep or other cattle, six gates were in the cow walk and three in the oxpasture. Wit: John Smith. Copy made by Hilliard Veren,* cleric.

Copy of deed, dated Jan. 1, 1677, given by Mr. Henry Sewall of Newbery to Willm. Longfellow of Newbery, all

* Autograph.

John Pickard and Ezekiel Northend, in behalf of the town of Rowley v. Wm. Longfellow. Review. Verdict for defendant, confirmation of the former judgment. Appealed to the next Court of Assistants.*

the interests of Henry Sewall, sr., in land in Rowley, with gates. Wit: Stephen Sewall and Jane Sewall. Acknowledged, Sept. 30, 1678, before Jo. Woodbridge, commissioner. Recorded, Oct. 3, 1678, at Ipswich, book, 4, page 192, by Robert Lord, recorder. Copy made by Hilliard Veren,† cleric.

Moses Gerrish, John Acie and Philip Nelson testified that upon Apr. 26, 1679, they were desired to go with Longfellow when Henery Williams, the marshal's deputy of Boston, came to Rowley to serve the execution, and Goodman Pickard and Goodman Northen desired the marshal to go to the end of the town and deponents went with them. Pickard showed Williams the town's common and said it extended from the end of the town five miles and bade him extend his execution for nine gates there, but Longfellow said he would have but six gates there and three in the oxpasture. Sworn, June 23, 1679, before Jo. Woodbridge,† commissioner.

*Writ, dated Apr. 8, 1679, signed by Thomas Leaver,† clerk of the writs for Rowley, and served by Nehemiah Jewett,† deputy for Robert Lord,† marshal of Ipswich, by attachment of the nine gates. Bond of Philip Nellson,† Moses Gerrish† and Willm. Longfellow.†

Bill of costs of plaintiff, 3li. 11s.

Willm. Longfellow's bill of cost, 2li. 12s. 10d.

Copy of papers in a similar action brought, 26 : 9 : 1678, in Salem court, made by Henry Williams,† deputy marshal of Suffolk.

"According to the order made in the yeare: (1650) that the fences in all common feild about or belonginge to the Towne of Rowley should be diuided accordinge to proportion of lande and meadows and the quantity with marks of severall numbers to deserue euery mans owne fence by: accordingly the Northeast feild fences with some others were proportioned, and deuided by Deacon Mighill, Joseph Jewet, Richard Swan, and John Smith: endinge at Number one and so upward." The marks are as follows: I, to Mr. Carleton, 30 rail lengths; II, to Mr. Ezekiel Rogers, 51 rail lengths; III, to John Scailes, 17 rail lengths; IV, Richard Swan, 15; V, Thomas Crosbee, 14; VI, Thomas Tenny, 12; VII, John Smith, 15; VIII, John Trumble, 9; VIII, Thomas Leaver, 9; X, John Smith, 15; XI, Mr. Sewall, 8; XII, Francis Parrat, 20; XIII, Thomas Crosbee, 15; XIII, Roger Swan, 8; XV,

† Autograph.

Thomas Crosbee, 15; XVI, William Asee, 31 ["read XXVII lengths," in margin]; XVII, Abell Langley, 17; XVIII, James Baley, 8; XVIII, Marke Prime, 6; XX, Thomas Miller, 6; XXI, William Law and Richard Longhorne, 15; XXII, Thomas Abbot, 15; XXIII, John Johnson, 16; XXIII, widow Lambert, 14; XXV, Thomas Mighill, 7; XXVI, Mrs. Margery Shore, 16; XXVII, Elder Ranor, 26; XXVIII, William Tenny, 8; XXVIII, John Pearson, 2; XXX, Edward Sawyer, 4; XXXI, Thomas Miller, 10. These begin at Mr. Carleton's ground at the bridge at the town end and go to the 140 rod of the field fence which is to be made and maintained by the ox pasture proprietors. Note. The 3d, 4th and 5th numbers are to be read instead of what is 17, 15 and 14.

The 140 rod of the field fence which they who have gates in the ox pasture are to make and maintain, is numbered as follows. There are several marks which are set at end of every man's proportion: I, to Mr. William Bellingham, 31 rail lengths; II, Abel Langley, 6; III, John Lambert, 12; IIII, John Johnson, 6; V, John Scales, 6; VI, Francis Parrat 6; VII, Mr. Sewall, 12; VIII, William Asee, 6; VIII, Mr. Carleton, 6; X, Thomas Tenny, 6; XI, Thomas Crosbee, 6; XII, John Smith, 6; XIII, Richard Swan, 9; XIII, Edward Hazen, 3; V, Mr. Ezekiel Rogers, 19; VI, Mr. Thomas Nellson, 31; VII, Thomas Crosbee, 13; VIII, Ezekiel Northen, 6; VIII, Richard Holms, 3; XX, Richard Longhorne, 3; XXI, William Law, 3; XXII, John Tod, 3; XXIII, John Pallmor, 3; XXIII, John Harris, 3.

The fence between the ox pasture and meadow, which is a two-rail fence at the further side of the ox pasture to the millward. These are the several proportions, every ox gate two rail lengths and every acre of meadow four and a half. The several marks are at the end of every man's fence, as Mr. Sewall ends at mark one (I) and so the rest follow in several numbers: I, Mr. Sewall, 8 rail lengths; II, Francis Parrat, 4 rail lengths; John Johnson, 4; William Asse, 4; widow Lambert, 8; Abell Langley, 4; Richard Holms, 2; Ezekiel Northen, 4; Richard Longhorne, 2; William Law, 2; John Tod, 2; John Pallmor, 2; John Harris, 2; Mr. William Bellingham, 20; Mr. Ezekiel Rogers, 12; Edward Hazen, 2; John Smith, 4; John Pearson, 18; Mr. Edward Carleton, 30; XXI, Robert Swan, 4 1-2 and Richard Swan, 17 1-2; XXII, William Bointon, 9; XXIII, William Tenny and Thomas Tenny, 9; and XXIII, John Scales, 13; XXV, John Trumble and Thomas Leaver, 9; XXVII, Thomas Crosbee, 31 rail lengths to the river. Copy made, June 21, 1679, from the record of lands of Rowley town, by Philip Nellson,* recorder.

* Autograph.

Copy of a record by John Johnson of a general town meeting, Jan. 8, made Feb. 5, by Hilliard Veren,* cleric, in which Henry Sewall petitioned that the town records be examined to determine his rights in the ox and cow gates of Rowley.

"At a legall Towne meeting held the 4 of y^e 11 month 1673 Captain brocklebanke John Pickard Ezekiell Northend Richard Swan and John Tod were chosen as a comitte for the proportioning of the fence belonging to the feild comonly called the northeast feild acording to lands lying therein on this side the sandy bridg and to ly to the oxpasture its share: upon the 24 of february 73 Edward hazen was chosen to be of this comite instead of Richard Swan

"at a legall Towne meting it was voted and agreed that the fence betwixt the oxpasture and the northeast feild should be diuided and continued a fue Raill fence the oxpasture doing one halfe of it at one end and the Rest of the fence for the security of the comon feild to be made a fue Raill fence or that which is equivalent to be diuided and proportioned acording to the land in the feild on this side the sandy bridge this was voted and passed on the affirmative on the 20 of february 1673

"At the same Towne meting it was agreed and voted that the comon feild should do that end of the fence next the Riuer betwene the oxpasture and the feild: John Acy entred his disent against this vote." Copy from the town book of Rowley, June 23, 1679, by John Johnson,* keeper of the book, and Abell Langley.*

Copy of records of house lots at Rowley, taken June 20, 1679, by Philip Nellson,* recorder: to Mr. Edward Carleton, three acres bounded south by the street, west by the common and by Mr. Henry Sands' house lot; to Mr. Thomas Mighill three acres bounded west by the highway and a small parcel lying in common, part of it being on the north side of the street and part on the south. Record of the division of Merrimack land as laid out in 1658 by Joseph Jewett, Ezekiell Northen, John Pickard and John Smith: laid out to widow Mighill of Rowley 215 acres bounded by Merrimack river, on the north by Thomas Kimball and partly on Johnson's pond; on the east by the commons of Rowley; on the south by John Watson's; on the west 72 poles in Merrimack river, the northeast corner being a birch by the side of said river, from thence it runs 143 poles to a white oak, then 420 poles to the southwest corner which is 70 poles wide from Johnson's pond, the northeast corner is a pine tree with a heap of stones, thence it runs 144 poles to a white oak, at this place being 56 poles wide, then 333 poles to a great white oak at Johnson's

* Autograph.

pond, there being an angle on each side, but it runs in a direct line from angle to angle.

Record of the fence belonging to the proprietors of the east end ox pasture, being half the fence between the field and the ox pasture, the mark at the end of every man's fence, Richard Swan beginning at the corner by the ox pasture gate and ending at mark I; Richard Swan, 9 rods, 2 feet, I; Tho. Nelson, 9-2-II; Mrs. Rogers, 18-4-III; Mr. Philip Nelson, 12-3-III; Edward Hazen, 9-2-V; Ezekiel Northend, 12-1-VI; Samuell Mighell, 8-1h-VII; John Pearson, 9-0-VIII; William Law, 4-9-IX; Mr. Philips, 9-0-X; John Tod, 3-9-XI; John Acy, 12-4-XII; John Palmer, 18-6-XIII; John Scales, 9-3-XIII; John Haris, 6-1h-XV; Thomas Leaver, 6-1h-XVI; Thomas Teny, 9-3-XVII; Richard Holms, 6-1h-XVIII; Parrat's children, 18-4-XIX; Henry Riley, 6-1h-XX; widow Law, 6-1h-XXI; Simon Chapman, 3-9 inch-XXII; John Johnson, 3-9 inch-XXIII; Abraham Haseltine, 5-1h-XXIII; James Baly, 6-1h-XXV; William Teny, 9-2-XXVI; Abell Langley, 6-1h-XXVII; Mark Prime, 6-1h-XXVIII; John Lambert, 12-3-XXIX. Divided by Ezekiel Northend, John Tod, John Palmer, John Johnson and John Acy appointed by Rowley, Mar. 7, 1673-4. Copy made by John Johnson,* keeper of the book, and Abell Langley.*

Copy of the rates of old Mr. Sewall who lived and died in Rowley: 9 mo. 1641, 14s.; 10 : 9 : 1650, 11s. 9d.; 3 mo. 1651, 10s.; 10 : 9 : 1651, 10s. 4d.; 1 : 3 : 1652, 9s. 3d.; 10 : 9 : 1652, 10s.; 3 mo. 1653, 8s.; 10 : 9 : 1653, 5s. 5d.; 1 : 2 : 1654, 4s. 7d.; 16 : 9 : 1654, 4s. 4d.; 17 : 3 : 1655, 5s. 4d.; 8 : 10 : 1655, 11s.; 5 : 3 : 1656, 6s.; 24 : 9 : 1656, 4s. 4d., for his house; 26 : 3 : 1657, 4s. for his house. Copy made by William Tenny,* keeper of the ministry book.

At a town meeting Feb. 17, 1661, it was voted that the division should be to every one gate one acre of land. On Nov. 26, 1662, Richard Swan, Samuell Brocklebanke, Ezekiel Northend, John Pickard and William Sticknee were appointed to lay it out. For the division, "the east end of the Towne to begin furthest of at the neerest land, and to have each man his half proportion of land laide out." Copy made, June 23, 1679, by Philip Nellson,* recorder.

"It is ordered that if any mans cattle be found upon the commons about his proportion at any time not haueing hired gates of some other he shall be lyable to pay foure shillings six pence a beast prouided that if he shew to the ouerseers a note under the hand of the man of whom his pasture was hired it shall satisfy to saue his fine and all that do hire gates of the Towne shall pay one shilling sixpence agate. it is also ordered that such as do not exced their proportion of gates

* Autograph.

and yet improue at certaine times their intrest in wholl or in part those persons shall giue to two of the selectmen the number of cattle they take of and the time when and if they do not faithfully obserue so to do they shall be dealt with as breakers of their abouesaid order." Copy from the town book, June 23, 1679, by John Johnson* and Abell Langley.*

At a Rowley town meeting Apr., 1679, John Pickard, Ezekieil Northend and Daniell Wicam were chosen as attorneys for the town of Rowley in this action pending between the town and William Longfellow. Mr. Nelson, John Acie, Abra. Jewett, Andrew Hidden and Wm. Boynton dissented. Copy made by John Johnson* and Abell Langley.*

It was ordered by the town of Rowley in 1648 that the commons should run five miles from the town every way where they had propriety if they were not laid out to any particular person. In order that every man should have an equal share, each acre and a half lot was to have one gate and a half, also every half two-acre lot was to have two gates and a quarter. Every two acre lot was to have four gates and one-half. Every three acre lot was to have thirteen gates and one-half. Every four acre lot was to have twenty-two gates and the six acre lots, forty-five gates. Copy made by John Johnson* and Abell Langley.*

John Johnson and John Pickard deposed. Sworn in court.

John Acey testified. Sworn in court.

Copy of inventory of Mr. Sewall's estate made by Robert Lord,* cleric.

Mr. Henry Short is debtor to Mr. Henry Sewall for what he had of the said Henry Sewall's estate from Sept. 29, 1650 to Sept. 29, 1658, for 8 yeares rent to 29 Sept., 58, of his farm at the falls at 14li. per Annum, 112li.; for 4 yeeres Rent of a smale farme that Tho. Browne and Jno. Wright had to Sept. 54, at 9li. 10s. per Annum, 38li.; for 4 yeeres Rent more of said farme of Thomas Browne to Sept. 58, at 10li. 10s., per Annum, 42li.; for the Rent of two Cowes from John Cheter for one yeare, 2li.; another Cowes Rent for one yeare, 15s.; two Cowes sold to John Chater, 9li. 10s.; a debt received from John Remington, 4li.; a debt of Mrs. Noyesse, 1li. 5s.; debt recd. out of Mrs. Gibbens estate, 6li.; for the Rent of thirty pound in cattle for one yeare, 2li. 10s.; total 218li.

Henry Short debtor to Hen. Sewall as administrator, from Mar. 27, 1656: houses, lands and goods he recd. into his custody as per Inventory, 339li. 6s. 4d; Improvement of Sheepe acknowledged and given in, 6li. 14s.; what he Recd of severall tennants for Rent of ye lands lately his fathers for 3 yeeres Dan. Thurston, Jno. Poore and Joseph Plummer, 24li. 12s.; total, 370li. 12s. 4d.

* Autograph.

Creditor: for digging a well at the litle farme and for bucket staves, 3li. 15s.; pd. to Rich. Bartlet for defect of 2 acres of land, 2li.; to Wm. Titcombe about fencing ye orchard, in wheat 40s. in money, 5s.; to Goodman Pearse for the Hire of a Horse, 5s.; for Beife for his father, 5s. 6d.; by Mr. Long in England, 5li.; for building at the farme, 28li.; for abatement for losse of an ox taken for Rent, 2li.; for Catle dd to Jno. Davis to pay Rent for for which security is taken, 30li.; what was pd into Mr. Broughton to be received by bill of exchange, 41li. 4s.; for sallery for and about ye above mentioned premisses, 10li.; for a cow that died in Jno. Chaters hands, 5li. 5s.; Rest due from ye said Henry Short to Balance, 88li. 6s.; total, 218li.

Per contra Henry Short is Creditor and ought to have by the houses & lands dd him as prized in the Inventory, 214li., by debts paid out of the Inventory, 64li. 5s. 1d.; fetching of sheepe from Ipswich & pasturing ym. 7 weeks, 2li.; By letters of Administration, Copy Invt., fees of court &c., 7s.; By what is allowed him for his paines for 39 days time about it & expenc in that time, 8li.; By procuring two deeds lemon water thatch & messengers, 15s. 6d.; total, 289li. 15s. 7d.; Rest due from Henry Short, 80li.

Award, dated Sept. 13, 1659, made by Richard Collecott,* and Thomas Savage, in relation to the differences between Mr. Henry Short and Mr. Henry Sewall: that Henry Short should pay to said Sewall at the house of Anthony Somerby 40li. in three bills of exchange, drawn by Mr. Jno. and Mr. Richard Cutts of Portsmouth or Strawberry Banck and charged on a sufficient person in London to be sent in the next ship that goes hence after Capt. Pearce in London at forty days sight and forty pounds more in good bills by the next ship. In the second account as before shown, they found Short indebted to Sewall 80li. 16s. 9d.

Copy of deed, dated May 1, 1662, given by Henry Sewall of Newbury, gentleman, and wife Jane, for 70li., to Samuell Worster of Salsbury, yeoman, 400 acres of upland and 4 acres of meadow in Rowley, 200 acres of it having been purchased of Joseph Jewett, late deceased, and Mr. John Carlton, butting on Merimack river northwest and Mr. Crosbie's land westerly, the breadth next Merimack river being 30 rods and 50 rods broad toward Crane meadow; also 100 acres being formerly purchased of Mr. Anthonye Crosbie, lying on the easterly side of the land of Robert Swann, being 15 rods broad next Merrimac river and 25 rods broad at the other end; also 4 acres of meadow at the west end of Marke Prime's meadow, the west end butting on the upland and the other end next a swamp on the north and upland on the south; also 100 acres

* Autograph.

of upland lately purchased of Richard Thurley butting on Merrimack river northwest, bounded with the land of Francis Parrot, late deceased, being 15 rods broad next Merrimack river and 25 rods broad at the other end toward Crane meadow, with all the wood, trees and timber, etc. Wit: Tho. Bradbury, Wm. Titcomb and John Hale. His wife Jane Sewall released her dower, 7 : 3 : 1663, before Samuell Symonds. Recorded July 5, 1670, book 3, page 155, and copy made by Robert Lord,* recorder.

Abraham Jewit deposed that Mr. Henry Sewell, sr., died possessed of the house that was formerly Mr. Carlton's and Mr. Sewall in his lifetime improved his gates in the common and ox pasture by keeping a flock of sheep upon them. Sworn in court.

Robert Walker of Boston, linen webster, aged about seventy-two years, testified that about fifty-six years ago, living with his father in the town of Manchester, Lancashire, England, he knew one Mr. Henry Sewall, who lived in the same town and in the same street with his father, who was "his overthwart neighbour." Afterward said Sewall removed with his family to New England and dwelt in Newbury, deponent being well acquainted with him after his coming to New England and was frequently visited by him when occasion drew him to Boston. Also that Mr. Henry Sewall now living at Newbury, whom deponent had known from his youth, is the only son of said Sewall. Sworn, Apr. 10, 1679, before Simon Bradstreet,* dep. Gov., and Daniel Gookin, sr.,* assistant.

Samuell Worster deposed that Mr. Sewall told him that he bought Mr. Edward Carlton's right of Merrimack land of Mr. Jno. Carlton, Edward's son, etc. Elizabeth Worster testified to the same. Sworn, June 21, 1679, before Nath. Saltonstall,* assistant.

Edward Rawson, of Boston, aged about sixty-four years, testified that he formerly dwelt at Newbury and for twelve or thirteen years he was well acquainted with Mr. Henry Sewall, sr., who in his later years removed to Rowley where he died. Also Henry Sewall, jr., returning from England after his father's decease, called Henry Short of Newbury, his attorney, to account for the settlement of the estate. Their differences were referred to the final award of Major Tho. Savage, Mr. Richard Collucut and deponent, which was dated Sept. 13, 1659. Sworn at Boston, June 18, 1679, before Wm. Hathorne,* assistant, and Nath. Saltonstall,* assistant.

George White deposed that about Nov. 20, he was at Ezekiel Northen's house and helped measure two bushels of Indian corn which Longfellow left as pay for the laying out. Sworn before Daniel Denison. Robert Lord testified that he saw

. * Autograph.

Hugh March, sr. v. William Hilton. Verdict for plaintiff, 10,650 feet of merchantable boards according to bill.*

the corn tendered on Nov. 25, 1678, to Jon. Pickard. Sworn in court. Copy made by Hilliard Veren,† cleric.

*Writ: Hugh March, sr. v. Mr. William Hilton and Mr. Sam. Hilton; for withholding 10,000 pine boards; dated May 28, 1679; signed by Jo. Woodbridge,† commissioner, and served by Henry Dow,† marshal of Norfolk, by attachment of the dwelling house and land of defendant.

Hugh March's bill of cost, 2li. 14s. 8d.

Copy of Salisbury court record of Apr. 8, 1679, in a similar action, made by Tho. Bradbury,† recorder.

Writ, for a similar action brought June 6, 1679, signed by John Gillman,† for the town of Exeter, and no return made.

Copy of a General Court order, signed by Increase Nowell, secretary, made at Dover, 20 : 11 : 1676, by William Pomfrett,† town clerk: "As for the other part of their peticon concerning freedome from being Impleaded in other Courts of this Jurisdiction this Court doth declare that the said Inhabitants (even by theire owne agreement) are bound to the Genrall lawes & orders of this Jurisdiction in y^t point as Salem & Ipswich are, nevertheless this Court being sencible of the great Burthen w^h may fall upon y^e Inhabitants of the said River, if they shall be forced (upon smale occacons) to travell to Boston or other Courts farre of, Itt is therefore ordered y^t none of y^e said Inhabitants shall bee compelled upon any Originall Procease out of the limmits of Norfolk to answer in any civill accon for any Cause whereof the Originall debt, or dammage shall not truely Exceede one hundred Pounds nor shall any of the said Inhabitants haue liberty to call any person out of any other limmits to answer in any like accon in any Court to be holden in Norfolk under the said vallue, Provided alwayes y^t if any person shalbee Attached to Answer &c in the Court of that Limmits where such person shall be Attached."

Letter of attorney, dated June 20, 1679, given by William (his mark) Hilton‡ and Sam. Hilton§, both of Pascadaq. to their brother-in-law Christopher Palmer of Hampton. Wit: Benjamin Palmer† and Timothy Dalton.† Sworn, June 21, 1679, before Samll. Dalton,† commissioner,

Charles Hilton, aged about thirty-seven years, and Aughter Bennitt, aged about forty years, deposed that they, Ed. Hilton, Samuel Hilton and others pay rates for country and county to Dover and Portsmouth and have done so for many years past. Sworn, June 23, 1679, before Samll. Dalton,† commissioner.

† Autograph.

‡ Seal.

§ Autograph and seal.

Hugh March, sr. v. Georg Sweate. Verdict for plaintiff.*

Bond, dated Mar. 21, 1677-8, given by William (his mark) Hilton and Sam. Hilton,† both of Exeter on Piscattaq. to Hugh March, sr., of Newbery, for 10,000 feet of pine boards to be delivered at Lamprile river. Wit: Anthony Gooff† and Mary (her mark) Levit. Acknowledged, Mar. 29, 1679, before John Gillman,† commissioner. Hugh March† affirmed the same in court.

Copy of a General Court record of 20 : 8 : 1658, made by Samuëll Dalton,† commissioner: Ordered that the towns of Dover, Portsmouth and Yorke choose annually some meet persons to levy 17li. 10s. payable to the county treasurer, also for the arrears since the order was made, and that all the inhabitants to the eastward of Hampton bounds with Mr. Hilton's plantation (Exeter excepted) shall be accounted within this county, and for the county of Yorke to take in all the inhabitants (except those of Scarboro and Falmouth) who are hereby enjoined to contribute to the payment thereof. Samuëll Dalton,† associate, also testified that either Edward or William Hilton or both being chosen to serve on the jury in Norfolk and not appearing were summoned to the next court of that county to give their answer, and upon producing the foregoing order, they were discharged.

*Writ, dated June 5, 1679, signed by Jo. Woodbridge,† commissioner, and served by Henry Dow,† marshal of Norfolk.

Gorg Sweett's bill of cost, 3li. 13s. 2d.

Letter of attorney, dated June 20, 1679, from George Sweett† of Exeter to Mr. Christopher Palmer of Hampton. Wit: Benjamin Palmer† and John Wedgwood.† Acknowledged, June 23, 1679, before Samuel Dalton,† commissioner.

Hugh March, jr., testified that Goarg Sweet, sometime of Exeter, often came to his father's house and called for victuals, drink and horse meat, and it was charged on the book. Sworn, June 23, 1679, before Jo. Woodbridge,† commissioner. John March testified that Sweet had often had quarters in his father's house and never knew that he paid. Sworn, June 23, 1679, before Nath. Saltonstall,† assistant.

Hugh March's bill of cost, 2li. 8d.

Robertt Sinnott, aged about fifty years, and John Wedgwood, aged about thirty-nine years, deposed that in the spring of 1678 Hugh March came to Exeter to the house of said Sinnott and accounted with Wedgwood for expenses at March's house. Wedgwood asked how much Sweet's account was and, looking at his books, he replied 7s. Then he asked March

† Autograph.

‡ Autograph and seal.

John Procter v. Joseph Procter and Benjamin Procter.
Verdict for defendants.*

John Poland v. Thomas Patch. Defendant allowed costs.†

Nathaniell Jacobs, executor of the will of Richard Jacob, deceased v. Ephraim Fellowes, Joseph Fellowes and Samuell Fellowes, administrators of the estate of their father William

how it was that his was so much and Sweet's so little and March replied "when Company comes to my House I will take whome I please for paymaster." Sworn, June 23, 1679, before Samll. Dalton,‡ commissioner.

*Writ, dated June 19, 1679, signed by Robert Lord,‡ for the town of Ipswich, and served by Robert Lord,‡ marshal of Ipswich, by attachment of the house of defendants.

Joseph Procter's bill of cost, 2li. 13s. 10d.

Henery Benet, John Androse and John Putnam testified that six years ago they were asked to divide a farm of John, Joseph and Benjamin Procter, and after they divided the land, the stock of cattle were to be divided by Joseph and Benjamin paying 50li. to their brother John Procter. They then tendered him the money but he refused it saying that he would come again within a month. Sworn in court.

Thomas Varny, aged about forty years, testified that he was at the house which was formerly his father Procter's, and heard Joseph say to John that he might as well stay and take his share of the fifty pounds. He was then going away and seemed to be angry. Sworn in court.

Robert Lord, marshal, aged about forty-seven years, deposed that John told him that his brother Joseph had tendered cattle at his own house, "but I was not such a fooll as To Take Them There: but would make Them bring The Pay To my hous." Sworn in court.

John Procter,‡ Joseph Prockter‡ and Benjamin Prockter‡ on Mar. 27, 1673, agreed upon Henery Beenate and John Putnam to divide the estate of their father left them by will. Wit: Nathanel Putnam‡ and Henry (his mark) Earle. The return of the division, dated Mar. 23, 1673, made by John Putnam,‡ John Andrewes‡ and Henry Benet.‡ Owned in court.

Receipt of John Procter‡ of Salem to his brother Benjamin Procter of Ipswich, dated June 1, 1678, for 25li. of the bill of 50li. due from Benjamin and Joseph. Wit: Richard (his mark) Hutton and Richard Croade.‡ Owned in court.

†John Poland's bill of cost, 2li. 5s. 6d.

Thomas Patch's bill of cost, 2li. 6s.

‡ Autograph.

Fellows, deceased, and Isack Fellowes for himself. Verdict for plaintiff.*

*Writ, dated June 19, 1679, for molesting Jacobs in the improvement of a parcel of land, which was a corner of Corporall John Andrewes farm and sold by him to Richard Jacob, it being confirmed to said Jacob by William Fellows, signed by Robert Lord,† for the town of Ipswich, and served by Robert Lord,† marshal.

Copy of papers in a similar action brought in Ipswich court, Sept., 1678.

Nathaniel Jacob's bills of cost, 2li. 5s. 1d. and 5li. 5s. 6d.

Thomas Jacob, aged about thirty-nine years, deposed that about twenty-five years ago after his father Richard Jacob had bought that corner of John Andrewes' farm, which was bounded by the mile river on the west, by the upland called Walker's swamp on the south, and by the land that is now the Fellowes on the north, he helped fence it in. Also that the fence is now in the same place, except about seven or eight rods "that is downe by bridg that did stand about one Rode one the north sid of the coosway." Sworn in court.

Account of damage to Nathaniell Jacob: cost at court, 2li. 5s. 1d.; cost of appeal, 2li. 18s.; taken by execution, 5li.; his land lying to the common where he was forced to keep thirty head of cattle and fifty sheep where he could find pasture for them, 3li.; digging a ditch through his land about twenty rods and four feet wide, digging up his highway, 2li.; by Samll. Ayers, 3li. 2s.; total, 18li. 5s. 1d., besides trouble and vexation he had been put to.

Thomas Jacob, aged about thirty-eight years, and Joseph Jacob, aged about twenty-two or three years, deposed that Nathl. Jacob was damaged three pounds, etc. Sworn in court.

William Knowlton, aged about thirty-six years, testified that he lived with Sargent Richard Jacob about fifteen years ago, etc. Sworn in court.

John Browne and Isarell Huniwell testified that they heard Thomas Jacob say that his brother Nathaniel Jacob had found a deed of the land, but that it was not acknowledged before a magistrate. Sworn in court.

Thomas Jacob, aged about thirty-eight years, deposed that his father Richard Jacob delivered a cow and Fellowes agreed to confirm the title, which he did by a writing dated 1665. Sworn in court.

John Hale† testified, June 26, 1679, that his father-in-law Mr. Richard Jacob of Ipswich, in some discourse about the advantages of his farm, signified that he had a highway by the

† Autograph.

bridge that was eastward of the house through to the common, and they spoke of it as about an acre and that it cost him 20li. Deponent asked how land in those times should be so dear at Ipswich, and he said that advantage was taken of his necessity. Also, when Richard Jacob, his brother-in-law, lived upon that farm, old Goodman Ephraim Fellows walking with deponent toward the bridge said he was troubled that Richard did not keep the bridge in better repair, etc.

Isack Fellows testified that he let to Samuella Ayres his part of the farm for 4li. per year. Sworn, July 20, 1678, before Samuella Symonds,* Dep. Gov.

Ephraim Fellows and Joseph Fellows testified the same. Sworn before Samuella Symonds,* Dep. Gov.

Thomas Jacob, aged about thirty-eight years, and Thomas Knowlton, aged about thirty-eight years, and Simon Willard, aged about twenty-nine years, deposed that they saw the deed of William Fellowes in Nathl. Jacob's hand, and clerk Lord was one of the witnesses. It was acknowledged before Mr. Samuella Simonds. Sworn, June 23, 1679, before Daniel Denison.*

Joseph Fellows and Nathaniell Healy deposed that Joseph Jacob came to them and they told him that they heard that his brother Nathaniell Jacob had found a deed of the land, and he said he found it himself when he was looking for another writing which was a draft of a farm of the Jacobs', part of which farm they sold to Goodman Potter. He found it sticking up between the "sumer and the end of a gyes" in Nathaniel's house. Thomas Knowlton said that one snowy day Nathaniel made the search and there were some old papers that Goodman Jacobs used to write at meeting that lay somewhere in a barrel behind the chimney and among these they found the deed. Sworn, June 29, 1679, before Daniel Denison.*

Walter Fayerfield, aged about forty-eight years, and Thomas Knowlton, aged thirty-eight years, deposed that they searched for the maple tree mentioned in the writing, Feb. 1, 1665, and they found it felled with the mark upon it. Sworn in court.

John Choate, aged about fifty-two years, testified that the fence stood as it did when he hired the farm of Corporal John Andras above twenty years ago. Sworn, June 19, 1679, before Daniel Denison.*

Robert Lord, aged about seventy-six years, testified that he wrote the deed dated Feb. 1, 1665, etc. Sworn, May 26, 1679, before Daniel Denison.*

Simon Willard and Barnod Thorn appraised the damage Nathl. Jacob sustained for want of the way to the common at

* Autograph.

Michael Chapleman v. Joshua Ward, commander of the pink called the John and Elizabeth of Salem. Verdict for plaintiff.*

Andrew Pittamee, attorney to Job, heir of old Will of the Falls v. Mr. Henry Sewall. Withdrawn.

Samuell Cobbitt and Joseph Roads were sworn constables of Lin.

Mr. John Woodbridg and Mr. William Browne were sworn associates for this county for the ensuing year.

3li. for the year. Sworn, June 23, 1679, by Willard before Daniel Denison,† and by Thorn in court.

*Writ: Michael Chapleman v. Joshua Ward, commander of the pink called the John and Elizabeth of Salem; debt, for sailing with him on the late voyage to Bilbor about seven months' time; dated 18 : 4 : 1679; signed by Hilliard Veren,† for the town of Salem; and served by Ja. Poland,† constable of Salem by attachment of house and land of defendant.

Miall Chapleman's bill of cost, 1li. 6s.

Peter Baulding, aged about twenty-nine years, testified that understanding that Chapleman had more fish on board than was his privilege, the latter refused to give the weight. When they arrived at Bilboa, deponent weighed it and there were about fifteen and a quarter quintals in Bilboa weight, besides three couple of fish which he gave away. Sworn in court.

Richard Ball, aged about twenty-six years, testified that the master demanded his freight due from Chapelman besides his privilege, etc. Sworn, 21 : 4 : 1679, before Edmund Batter,† commissioner in Salem.

Joshua Ward, master, and agent for the owners, submitted the following account: Miell Caplman shipped on board for 35s. per month in money to be paid when they arrived home, beginning Oct. 10, 1678, and returned May 15, 1679, his wages being 12li. 11s. 2 1-2d., and 1 hh. freight; paid since I came home in money, 4li.; to money due in Billboa for freight 7 peses of eight with advantage, and 8 peses of eight for duneg which is part of forty peses of eight.

Letter of attorney, dated June 21, 1679, given by Michael (his mark) Chapleman‡ of Salem, fisherman, to Mr. Edmond Bridges. Wit: Nathaniell Sharpe† and Francis Neal.† Acknowledged, 21 : 4 : 1679, before Wm. Hathorne,† assistant.

Edmond Bridges testified that Ward said that Chapleman was the first man he shipped, etc. Peter Baldin testified. Sworn in court.

† Autograph.

‡ Seal.

Mathew Nixon acknowledged judgment to Mr. John Cromwell.

John Pickworth acknowledged judgment to Samuelt Morgan.*

Isaack Elwell acknowledged judgment to Mr. Jonathan Wade, to be paid in fish.†

Will. Dodg, tertius, acknowledged judgment to Mr. Ed. Batter, to be paid in fish.

William Benett of Manchester had his former license renewed until the next November court.

Edmond Bridges, being fined by the commissioners 30s., half was allowed him for prosecuting the law against Joseph and Bethia Gatchell and the other half was respitted.

John Kelly was appointed administrator of the estate of John Whitteere, deceased, and was ordered to bring in an inventory to the next Ipswich court.

Capt. Richard Walker, Capt. Tho. Marshall and Mr. Thomas Laighton, chosen to end small causes for Lin, were sworn.

Theophilus Baily had his license renewed until the next Salem court.‡

Frances Skerry was freed from common training, paying one bushel of Indian corn yearly to the use of the company. Court afterwards being informed that he had been a pensioner for 6s. per annum for several years past, declared that he was to still continue a pensioner.

At Ipswich court, Apr. 1, 1679, Dea. William Goodhue v.

*Bond, dated May 3, 1679, given by Joseph (his mark) Pickworth to Samuelt Morgan, for 4li. in fish. Wit: Eleazar Inguls§ and Phillip Parson.§

†Writ: Mr. Jonathan Wade v. Isaack Elwell; debt; dated June 3, 1679; signed by Robert Lord,§ for the town of Ipswich; and served by Robert Lord,§ marshal of Ipswich. Bond of John (his mark) Kettell for Elwell's appearance.

‡Approbation of the selectmen of Lynn, dated 6 : 4 : 1679 said Bayley having kept a house with good entertainment for strangers, signed by Thomas Laughton,§ Thomas Marshall,§ John Fuller,§ Ralph King,§ William Bassett,§ Mathew Farrington§ and John Burrall.§

§ Autograph.

Samuell Bishop. Debt. Verdict for plaintiff. John Gittings and William Goodhue bound.*

At Ipswich court, 1 : 2 : 1679, the jury returned a verdict for Abell Langly, as plaintiff, in an action of debt brought against Samuell Bishop, for forfeiture of a bond. This court moderated the bond, to be paid half in wheat and half in barley. John Acey and Daniell Wicom bound. Copy from Ipswich records, made by Hilliard Veren.

Nathaniell Ingerson had his former license renewed.

Mr. William Longfellow, complaining of Mr. Nehemiah Jewett for violently seizing his money under pretence of executing his office as marshal's deputy, court ordered that said Jewett return the money and pay all costs.†

*Copy of the records and files in this action taken from the Ipswich court, Apr. 1, 1679, by Robert Lord,† cleric.

†Warrant, dated June 17, 1679, for Nehemiah Jewett's appearance, signed by Daniel Denison,† and served by Theophilus Wilson,† constable of Ipswich, who left the summons with Jewett's wife.

Anthony Ashby, John Acie and Henry Williams, all aged about forty years, testified that they being at Goodman Hazen's about the latter end of April when the attachment was served, etc. Sworn in court.

Willm. Longfellow's‡ complaint: that such oppression under color of law was an ill precedent, which if allowed "the innocent subjects may be injuriously troden under foot, at the pleasueres of unjust officeres."

Daniell Wicam testified that he was in company with Ezekiel Northend, John Pickard, Nehemiah Jewett and others when Henry Williams served the execution upon nine gates, and being at the ordinary in a room near where they were, he heard a great talking. When he went into the room, Jewett had his hand upon some money which lay upon the table which he said he had attached belonging to Mr. Longfellow. The latter said it was his brother Moses Gerrishes money. "Then I sayd to Neh. Jewett If you haue atached the mony & it bee Mr Longfellows I suppose you know how to come by it. Then Moses Geerish Layd downe the Remaynder of the mony which he had in his hatt, upon the Table & Nehemiah Jewett took it up." Sworn in court.

Willm. Longfellow's bill of cost, 2li. 16s. 2d.

Ezekiell Northend and Jno. Pickard testified concerning what occurred at the ordinary. Sworn in court.

‡ Autograph.

Richard Reeve had his license renewed to retail strongwater out of doors, only to his own fishermen.

Joseph Gatchell, for breaking prison and making his escape, was sentenced to pay a fine, to be imprisoned for one week and to continue thereafter until the fine be paid.

In answer to a petition of the selectmen of Newberye, court ordered that it be referred to Capt. Danll. Pearce and Hen. Jaquis of Newberye. If they agreed on good terms with any persons who would build a bridge over the river they should have the profits of it for ten years according to former allowance provided they fully completed the agreement within one week after the end of this court. In case they could find no one to build it, the bridge was to be demolished.*

Mr. George Keaser was appointed administrator of the estate of John Gillow, and guardian of Robert and Sarra, children of said Gillow.

Hugh March was dismissed from common training, paying 5s. per annum to the use of the company of Newberye.

Thomas Cromwell, Tho. Rix, Elias Mason and Wm. Smith were dismissed from common training, paying 3s. each to the use of the company in Salem belonging to Capt. Price. Otherwise to attend the company on public days of training upon what service they were capable of, not being enjoined to attend in their arms.

Mr. Phillip Parsons was licensed to sell rum out of doors by retail by the gallon for the year ensuing.

John Petherick had his former license renewed for the ensuing year.

Moses Geerish, aged about twenty-three years, deposed that he went with Longfellow to Rowley, etc., and he and Mr. Philip Nelson were sureties for him. The deputy marshal of Boston called Longfellow into another room to pay him the money for his court charges, which deponent had taken for him when Jewett attached it and took it away. Sworn, June 20, 1679, before Jo. Woodbridge,† commissioner.

*Petition of the selectmen of Newberrie, Anthony Somerby,† Henry Jaques,† Peter Cheney† and Francis Browne:† that they could not find any convenient way to build a new bridge over the river and the present bridge being dangerous, they asked the court to take the matter up in order that the town might not be liable.

† Autograph.

Henry Ball dying intestate, Samuel Aborne was appointed administrator of the estate and was ordered to bring in an inventory* to the next Salem court.

George Darlin had his license renewed until Salem court.

Whereas there was, at a former court in Salem, ordered out of the estate of Christopher Codner, deceased, to his two children 60li. to be paid unto them when they come of age and the house and ground being bound for security of the children's portions, the daughter being of age some time since having received her part, 20li., and now the son being also of age and none appearing to pay his part which is 40li., court ordered Mr. John Devorix and Mr. Richard Knot, as feeoffees in trust, and upon the request and desire of the mother and the said son, to enter upon and take possession of said house and ground, sell or dispose of it to raise the amount due to the son Christopher.

Ann Devorix and Mary Downing testified upon oath that Christopher, son of Christopher Codner, deceased, was twenty-one years old the latter end of September last past.

On June 17, 1679, Mr. Wm. Symonds dying intestate, the Hon. Gov. Simond Bradstreet, Esq., Maj. Wm. Hathorne, the clerk being present, administration upon the estate was granted to Mrs. Mary Symonds, relict of said Wm., and Mr. Jonathan Wade, who were ordered to bring in an inventory to the next Ipswich court. Copy made by Hilliard Veren.

Danill Epps and Jon. Emerson, pastor of the church of Gloster, on June 16, 1679, "having waited in expectation of an opportunity of conferring with such as possible might concerne themselves about our beloued sister Symonds widdow & relict of our brother, Mr. Wm. Symonds, deceased, but there being nothing at all Intimated or proposed, Doe there-

*Henry Ball, who deceased May 15, 1678, was indebted to Samll. Aburne as follows: lent him 40s. in money to pay his passage from Newfoundland, 2li.; paid for him to the Doctor, 3li.; for the charges of his dyet and tendance in the tyme of his sicknes which was 7 months & for damage done to cloathing and beddinge, 10li.; total, 15li. There being some clothing sent to said Ball by Mr. Rosse, master of the Apsun ketch and 5li. coming by way of the Barbados, said Aburne asked power to recover his just debt, if there be so much of the said Henry's estate in the country.

fore in y^e behalfe of our selues, & the rest of our relations concerned, lay claime to: & before these witnesses, doe take possession of the houses & lands, chattells & goods, that were the proper estate of Sam^l. Simonds Esq^r late deputy Governor of the Massechusetts, in new England, deceased, And doe heareby declare that there is noe Intention heareby to depriue our honrd mother of what is bequeathed in the will to her in any measure nor our sister Simonds of her just proportion." Wit: James Chute and Richard Brier.

Richard Martin, on June 21, 1679, also subscribed to the foregoing, it being considered by him a rational demand.

Har. Simonds, on June 24, 1679, "being more principally concerned in my honrd fathers estate," also subscribed.

Mr. Daniell Epps and Mr. Jon. Emerson, in behalf of themselves and the rest of the children of Samuell Simonds, Esq., late deputy Governor, deceased, who are interested in their father's estate, moved the court not to settle the estate until they could be heard, which motion was granted. These records were ordered to be entered in the Salem court records.

D. Epps' petition, dated June 27, 1679, to the court: that he was desired by the rest of the "fraternity" to enter a caution about the estate of "our honrd. father, Samuell Symonds," the administrators appointed not having yet given bond, although the estate was appraised at 2,500 pounds and the bond being 1,000 pounds, requests that he be appointed to take an inventory of the estate, said Symonds having been deceased eight months, and their brother Wm. Symonds having died about one month since. Also the administrators should make a return of the estate for the payment of the funeral expenses, according to his will, the court at Boston having empowered him to do this. Court granted the petition and he was to return an inventory to the next Ipswich court.*

Richard Norman, Capt. More, Mr. Lattamore, Nathl. Ingerson and Goodman Edmonds had their licenses renewed for the year.

Mr. Croad's license was renewed until the next Salem court.

Mr. Haskett, Mr. Jon. Higgenson, Mr. Maverick, Capt. Wm. Browne, Capt. Jon. Corwin, Mr. Jon. Gidney, Mr.

*Petition of Daniell Epps.†

† Autograph.

Lindall, Mr. Bowditch, Mr. Ben. Geerish, Samll. Shattock, sr., Richard Rease, to his own fishermen, Mr. Phillip Parsons, per gallon, John Petherick, Mr. Nehemiah Willowby and Capt. Samuell Ward were licensed to retail strongwater out of doors.

Court ordered that if Joseph Gatchell paid 3li. before sunset, he should be dismissed from prison.*

Return of the tythingman of Beverly: Jon. West, Tho. Woodbury, Zacha. Herrick, Edw. Dodg, Antho. Wood, Hen. Baily, Jon. Lovet, jr., Jonathan Boiles, John Benett and John Herrick.

Benjamin Chadwell dying intestate, administration was granted to Elizabeth, the relict, who brought in an inventory.†

*Warrant, dated 26 : 4 : 1679, for appearance of Joseph Gatchell and wife Bethia, signed by Hilliard Veren,‡ cleric, and served by Thomas Hokkng,‡ who had searched diligently for Bethia but could not find her within the bounds of Marblehead.

Petition of Joseph Gatchell:‡ that he was shut up in prison with a fine to pay and his poor wife at home, "and concernes at home in y^e way of his calling as for matter of much worke engaged unto divers of his good Customers & if being shutt up here in this noysom place not fitt for a christian man to breath in will not onely greatly damnifie yo^r poor petitioner as to y^e getting of anything for y^e releif of himself & family & dissobling of his Customers; but also assuredly hazard y^e health & life of yo^r poore petitioner; it being impossible that any humane creature should endure to liue in so pestiferous a stinke," etc.

†Inventory of the estate of Benjamin Chadwell, lately deceased, taken June 17, 1679, by John Newhall‡ and Samll. Cobbett:‡ the Dwelling house and Barn and 4 Acres of Land adjoyning thereunto, 65li.; five Acres more of upland, and nine Acres of meadow, 70li.; A Bedstead and bedding belonging thereunto, 3li. 10s.; in Linnen, 5s.; two small potts and pot hooks and a Tramell, 14s.; an old warming pan and frying pan, 2s.; In Peuter and a smoothing Iron, 5s.; cradle, a small Barrell and other wooden ware, 7s.; foure pound of toe yarne, 5s.; A sow, 12s.; Linnen wheel and a woollen wheel, 6s.; total, 141li. 6s. Just Debts: for an Acre of meadow (taken into the inventory) morgaged for 4li. 11s. in mony; an Acre and a quarter of upland or thereabout taken into the inventory, that was made over for ye widows present supply

‡ Autograph.

The estate was to remain in the widow's hands for the bringing up of the children until they come of age, and if any estate then remain, it should be divided, half to the widow and half to the children.

The will* and inventory of John Pearson were proved upon oath of Wm. Cowdry and Jeremiah Swayne, and administration was granted to Maudlin, the relict, and John Pearson, his son.

received in mony, 5li.; two Acres and a half of meadow mortgaged to John Newhall for 7li. in money, which 7li. was received by Benjamin Chadwel; to John Newhall, 2li. 5s. 6d. in mony; Thomas Newhall, 1li. 3s. 9d. in mony; John Tarbox, 15s. in mony; Eliezer Lynsee for the Country Rates, 1li. 4s. 11d.; James Walls, 9s.; Elisabeth Engolls, 10s. in money; Thomas Lughton, 3s.; Joseph Armitage, 5s.; Samuel Hart for setting up new fence, 1li. 10s.; Mrs. Hawthorn, 16s.; total 25li. 13s. 2d.

*Will of John (his mark) Persson, sr., dated Apr. 19, 1679: "secondly My will is That My Deare & Louinge wife Maudlin shall haue the hole Improuement of || all || the Land & Catell that I haue in My hands, and of the orchards & Meddows and all houshold stuf with in dores and all Impelments of husbandery with out dores 3 I giue unto My Sonn John Persson all the farme that I now Liue upon with all the Medowes Belonging Thearunto Excepting Twenty Ackers of the upland, which Twenty ackers of upland I giue unto My Daughter Sarah and to her Cheldren And if euer My Daughter Sarah hath a mind to sell this Twenty Ackers of Land They shale sell it to none But to My Sonn John or to his Children, they giuing for it soe much as Tow Indiferent Men shale Judge it to be worth which Twenty Ackers shale Leye as followeth: beging at the heighwaye and soe a longe By the Line that Runnes bettween goodman Poles Lande and Mine 4 I giue Unto My Daughter Sarah and to her Cheldren Tenn Ackers of Meddow Laying in the great Meddow, tow Ackers of this Meddow is now in the handes of Edward Tayler and I giue it to you at his deaseas further More I giue Unto My Daughter Sarah and to her Cheldren A parssell of Land Bee it More or Less that Leyeth Beyond Ipswidg Riuer at the head of Redding Boundes that was somtimes Richard [Hordwels?] and a parssell of swampy land Laying in the great swampe fiue Ackers or thear aboutes

"I giue Unto My Daughter Marey Burnap and || to || her Cheldren Thirty Ackers of upland Laying Between the Landes of Jonathan Poole and Robarte Burnap be it More or Less further More I giue Unto My Daughter Mary Burnap A

parssell of Land forty Ackers or ther abouts Leying near to the Land of Mas. John hauke or Adjoyning to it and to her Cheldren further More I giue Unto My Daughter Marey Burnap and to her Cheldren Tenn Ackers of Meddow tow Ackers of it Leyinge in the wigwam Meddow and eight Ackers Leying in the great Meddow 6 I giue Unto My Daughter Bethia Carter And to her Cheldren A parssel of Land Leying in Redding Boundes eighty Ackers or thear abouts with the Medow Belonging thear Unto and Eight Ackers of Meddow Leyinge in the greate Meddow further More I giue unto My Daughter Bethia Carter Three pound A year yearly to Be payd to her during her naturall life Twenty shillinges a yeare in Monies of it to be payd to her By My Sonn John Persson or By his heires executors or Administrator or Assignes provided That the Land and Meddow That I haue giuen to her and the Three pound a yeare doath not Amount to Aboue one hundred pounds 7 further more I giue unto My Sonn John Persson a peese of Cedor swamp that was the widdow Dustins that Leyeth in the Cedor Swamp in the Boundes of Reddinge further More I giue Unto My Sonn John Persson An Acker mor or Less an Acker of salte Marshe that Leyeth in the Towne Marshe att Linn, with the Remaynder of the Thirty Ackers of Meddow that Leyeth in the great Meddow to him and to his Children And all the Landes & Meddowes that I haue giuen to him shale be to him and to his Children and to his Childrens Children foreuer And further More all the Landes & Meddowes That I haue giuen to all the Reste of My Children shalbe to them and to ther Children & to ther Childrens Children for euer But in Case My Children or Childrens Children shale see cause out of som nessesary Tey of Concienc shale see Cause to Remoue Ther habitation that this will of Mine shale not tey them But that then they Maye Sell ther Landes 8 My will is that My Daughter Sarah Tounsand shale haue the use of halfe the Barne which they are Capabell of getting one for them selues further More I giue Unto My Daughter Sarah Townsend the use of the Tow peeses of Meddow That Leyeth within the farme for fifteen year after the Date hearof And My will is that the Landes And Meddow that I haue giuen to her And the Rente of theas tow peeses of Meddow shale bee Made up one hundred pounds

“9 My will is that My Daughter Marey Burnap that the Lands and Meddow that I haue giuen to her and her Cheldren shale bee made up one hundren pound 10 I giue unto My Deare wife Maudlin The Time that I haue in My Seruants that is yet Remayning to serue further More 11 My will is That My Sonn John Persson shale Improue all the Land and Meddow for My wife Maudlin his Mother for her use hee hauing one halfe of the Increase for his paynes And Care,

John Persson is to haue John Lilly at Comand for to help him for the Improuement of the Land 12 further More My will is That the three score Ackers of Land That Leyeth Beyond Ma^a Dillingams Meddow shalbe sould for the use of the famely as My wife Maudlin shale see Cause 13 further More My will is That the Thirty Ackers of Meddow in The greate Meddow that I haue giuen to My Children shale equally Bee deuided amongste || them || according to each mans proportion 14 Lastly My will is That none of all the Landes and Meddowes That I haue hear in this My will giuen to my Cheldren shale not Bee Theirs untill After the death of My Deare wife Maudlin Persson." Wit: William Cowdry* and Jeremiah Sweyen*.

Inventory of the estate of John Persson, taken May 14, 1679, by William Cowdrey*, Thomas Bancrofte* and Hananiah Parker:* the housing and homstead Land and Meddow, 500li.; Thirty Ackers of upland called Newels Lott, 36li.; forty Ackers of upland By John haukes, 30li.; one Acker of salte marche, 5li.; Thre score Ackers of uplands in the woodes, 16li.; Thirty Ackers of Meddow in the great medow, 120li.; Tenn Ackers of Land beyond Ipswidg River, 5li.; eighty Ackers of upland beyond Ipswidg River, 25li.; a parssel of Meddow in the hundred Ackers, 18li.; five Ackers of wett swampe, 3li.; tow Ackers of Meddow in the wigwam Meddow, 5li.; A parssel of Cedor swamp, 5li.; Three horses, 4li.; fower oxen, 20li.; fower Cowes, 15li.; yonge Cattell, 9li.; 14 sheep and nine Lambes, 6li.; fower swine, 2li. 10s.; fether bead, Rugg, boulsters & pillowes, 5li.; covered & a bead & 2 flock pillowes, 2li. 3s.; another Bead & boulster & blanket, 1li. 5s.; sheets and Tabel Linnen, 6li.; puter one & other, 2li.; Brasse, 1li. 10s.; In Iron, Thre pots and a fring pan, 1li. 15s.; Milke vessels, Trayes, dishes & spones, 1li. 15s.; Andianers, 2 spits, dripping pan and Iron back, 2li. 10s.; Tramels, fire pan, Tonges and smothing Irons, 15s.; Tabels, Chayers, a setell, Cushins & a fourme, 2li. 10s.; Armes, 2li. 10s.; Chests and Boxes, 1li. 8s.; woolen yarne & Linnan Cotten yarne, 4li.; Cider Caske, 3li.; chees Toub, poudering toub & meash tub, 15s.; wheels and cards, 1li. 5s.; glasses and erthen ware, 6s.; Books, 2li.; Cartes, plowes, chaynes & howes, 4li. 12s.; Beetel Ringes, wedges, Iron mortar, 1li. 5s.; Iron Crowes, a spade and shovell, 1li. 8s.; a fann, winow sheete and Mesures, 17s.; scales, wayts and sives, 15s.; Axes, forkes & sikels, 10s.; carte Rope, sadel and pillyon, 1li. 15s.; sithes, sheep sheeres & a hamer, 15s.; Credit, 7li.; Three yards of Carsey, 1li. 10s.; his waring Aparell, 10li. 10s.; total, 897li. 19s. Debts owing, 7li.

* Autograph.

Sarah, relict of Samuell Mansfeild, was appointed administratrix of his estate, to settle according to an agreement made by her consent with the parties subscribed, and she also brought in an inventory.*

*Nuncupative will of Samuell Mansfeild, who died of the smallpox in Lynn, dated 20 : 4 : 1679, given into court by Nathaniel Bersherm,† Sarah (her mark) Mansfeild, Thomas Laughton,† and Andrew Mansfeild†. He left a wife and three children, the eldest of them being a son, also a father, and the widow had a father living. The nearest relatives agreed to leave the division of the estate for the benefit of the widow and children to Mr. Thomas Laughton, sr., Andrew Mansfeild and Nathaniell Barsham, which they divided in the following manner: the inventory amounting to 154li. 8s. 6d., and the debts amounting to 17li. 4s. 7d., there was remaining 137li. 3s. 11d.; to the widow, a third of the estate, 45li. 14s. 8d.; to the son Andrew Mansfeild, four acres of upland, adjoyning westerly along his grandfather Mansfeilds house lott & three acres of salt marsh in Rumnye marsh adjoyning, northerly uppon his grandfathers marsh & seauen pounds fourteen shillings & eight pence to be paid by the estate in the widows hand, 45li. 14s. 8d.; and the two daughters twentye two pounds 17s. 4d, per peece out of the estate in the widow's hand, 45li. 14s. 8d. The widow was to have the whole estate for the children until they became of age, but if the widow died before they became of age, they were to have their portions. The dwelling house and land were held as security for the portions, the widow to keep the house and fences in good repair. "Samll. Mansfeild, deceased gaue unto his father Andrew Mansfeild his son Andrew aboue mentioned & this was done as his last words on his death bed: & his wife the widdow & her fereinds consenth therunto untill hee come to the age of twentye one years & that his said father Andrew Mansfeild, accepts of him & ingageth to bring him up at his own charge."

Inventory of the estate of Samuell Mansfeild of Lynn, who died Apr. 10, 1679, taken by John Newhall† and Robt. (his mark) Rand: His dwelling house, orchard & land adjoyning the house & 4 acres of marsh, 94li.; 2 cowes, 6li. 10s.; 2 two year ould heifers, 4li.; 1 year old heifer, 1li. 6s.; 1 Horse, 4li.; 6 ewe sheepe, & 3 Lambes, 2li. 14s.; 5 yong swine, 2li.; two Hives of Bees, 10s.; pistills & houlsters, 1li. 15s.; Back sword & belt, 9s.; Cuttlaste & Belt, 18s.; a gun scorer, 1li. 5s.; a sadle & Croop, 15s.; a bridle, 4s.; a pillion & pillion cloath, 1li.; wearing Apparrill, two hatts & stockings, 3li.; 11 yards

† Autograph.

Susan, relict of Phillip Harden, was appointed administratrix of his estate. The whole estate was to remain in her hands, only 20li. at her decease was to be paid out of the estate to Jane, their only child.*

of woollen Cloath, 1li. 18s. 6d.; 3 Coverlids & 3 blanckitts, 3li.; 3 pare of sheets, 1li. 10s.; a bed, boulster & 3 pillows, 2li.; Bedstead, Curtains & Vallens, 1li. 16s.; A pare of Boots, 16s.; a loome & weaver's tackling belonging, 3li. 19s. 6d.; 2 chests & a box, 7s.; a table & cradle rug, 8s. 6d.; sheers & stools, 5s.; An Iron pott, 2 puter dishes, a chafin dish, tinn ware, earthen ware, glass, 1li. 12s. 6d.; a table Cloath, 2 shurts, napkins, towells & a Lether Apron, 18s.; a frying pan, a pare of tongs, an axe, an hoe, 10s.; a raiser hone, 6s.; siser, 6d.; 2 sithes, & tackling, 10s.; wool, 10s.; wool, 10s.; Lying yarne, 1li. 10s.; a reele & wheele, 10s.; a Looome, Lathe & blocks, tridles & stretchers & irons belonging to it, 2li. 5s.; 2 pare of temples, 2s.; a pare of Blocks & wheels, 1s. 6d.; 2 pare of shafts, 2s.; 2 sydar barrills & an Hamer, 7s. 6d.; sum Lumber, 6s.; a pare of scales, 1s.; woollen yarne, 9s., 10 dozen of buttons, 5s., 2 Lamps, 2s., halfe a cover lid, slea & Harnis, 19s. 6d.; a sheep rack, 5s.; a rave, 3s.; a shutle, 2s.; an ould slea, 3s.; a forke & rake, 2s. 6d.; 2 ell sleas & harniss belonging to them, 1li. 10s.; 1 yard slea for carsye & harnis belonging to it, 8s.; 2 sleas for Lying & harnis for ym., 10s.; total, 154li. 8s. 6d.

*Will of Phillip Herding,† dated Nov. 5, 1678: "I giue unto my Loueing wife Elisabeth herding all the Lower Roomes of my house with the appurtinances thereunto Belonging Item I giue to my Daughter Jane herding all the upper Roomes with the appurtinances thereunto Belonging to Be Equally Shared Between my wife & my Daughter: of the Chamber and if my Daughter will not Repaire that Share of my house giuen her then my will is that she shall not Liue In it: till her mothers Discease: and then I doe giue it to my daughter and her heires for Euer Item I make m^r Ambrosse gale my whole Executo^r to Se this my Last will and testament performed." Wit: John Eyres† and George Freshwatr.†

Inventory of the estate of Philip Harding, late of Marblehead, taken June 23, 1679, by Richard Norman† and James Dennes:† a house and garden plot adjoining, 40li.; Bedstead, bed and furniture belonging, 6li.; Two iron pots, one iron kettle & one brass kettle, 1li. 6s.; one cupboard, one table & five joint stools, six chairs, 1li. 11s.; peuter platters and basons and a peuter pott, 2li. 10s.; three chests, 15s.; old suit of cloths, two hats and six cushions & pr. andirons,

† Autograph.

‡ Autograph and seal.

The will and inventory* of Thomas Cole were proved and allowed.

Sarah, the relict and administratrix of the estate of Capt. Wm. Hathorne, presented an inventory,† and the whole estate was ordered to her own use.

Nathaniell Hunn dying intestate, administration upon his estate was granted to the relict, who brought in an inventory.‡ Court ordered the estate to remain in her hands for her and her children's use.

1li. 10s.; three sheets and six napkins, 15s.; a desperate debt of 34li. 5s. due from Laurence Barnes.

*Inventory of the estate of Thomas Cole, taken Apr. 20, 1679, by Hilliard Veren. jr.,§ and Richard Croade:§ a dwelling hows wth about an acker of Land adjoineing pt. of wch being ye Land Abra. Cole built 2 howses, & out howseinge, 50li.; a tenn acker Lott lying in ye Northfeild, 30li.; fower Cows, 10li.; two swine, 1li.; old cask, a chest & other Lumber in ye chamber, 10s.; 1 fether bed wth ye furnitture, 4li.; 1 old trundle flockbed, 10s.; 1 cubbard, 10s.; 1 Chest, 5s.; 2 brass kettles, 1li.; 2 Iron potts, 10s.; 3 puter dishes & smal parcel of Erthen dishes, &c., 10s.; 1 old table, chairs, formes & belos, 5s.; Pott hangers, 1 pr. old Andirons & tongs, 5s.; 1 old bras pott & skillit & spitt, 3s.; 2 bushels of Indian corne, 4s.; 1 old scith, 2s.; some other old Lumber not valeuable; total, 99li. 14s. The estate in Debt to sundry persons about 12li.

†Inventory of the estate of Capt. William Harthorne, taken by Thomas Stace§ and Resolved White,§ and brought into court by Sarah Harthorne§: A Bead and Beading belonging to itt, 6li. 6s.; curtings, 1li. 10s.; and Cushings, 15s., 2li. 5s.; Tabell, Stulls, carpit and Chayers, 1li. 18s.; 2 Chests, 2 littell Trunks & 3 Boxes, 2li. 4s.; plate, 3li. 10s., A parsell of puter & Brasse, 4li., 7li. 10s.; A parsell of Arthing waer, 1li. 10s.; A parsell of Iron waer, 5li. 10s.; Books and Lining and some other things, 19li.; Cash, 4li. 6s., 204 gall. of Rume 20d. per gall., 21li. 6s.; molossus, 4li., a pece of salt mash, 7li., 11li.; A Cowe, 2li. 5s., A maer, 20s., 3li. 5s.; A case of Bottills, mortar & pesell, 14s.; Beadstead and some small Caske, 12s.; Shuger, 12s., parsell of woden waer with 2 whells, 1li. 17s.; Debts due to ye Estate, 12li. 9s. 11d.; allsoe due from the Country in mony, 5li.; total, 102li. 8s. 11d. Allsoe halfe of a farme lyeing about Groaton not yet pryzed. Debts due from the Estate, 59li. 8s. 5d.

‡Inventory of the estate of Nathaniel Hunn, taken by Richard Croade§ and Robert Kitchen§: One feather Bed &

§ Autograph.

Nathan Parker dying intestate, administration upon the estate was granted to Mary, the widow, who was to have the whole estate for the education and bringing up of Mary, the daughter of deceased. The daughter was to have half the estate at age, and the house and land were bound for security.*

The will† and inventory of William Allen, brought in by Elizabeth, the executrix, were proved and allowed.

furniture, 7li.; one Chest of drawers, 2li.; one Chest & box, 15s.; small chest & Two —, 18s.; fower Chaiers, 8s., 2 Iron —, 1li. 8s.; one frying pann, 1li. 2s.; one Skillett, one — & fire shovell, 5s.; one p and Irons —, 10s.; one Spitt & 2 ham — & Smoothing Iron, 8s.; 2 Candlesticks, three —, 5s.; One Trundle Bed, 2li. 10s.; five baskitts & 2 pailles, 9s.; peuter platters, 1li. 15s.; One Spining wheele, 3s.; Linen as Sheets, Napkins &c., 5li.; Rumm Barrells & wooden ware, 6s.; Debts oweing, 6li. 18s. & debts due, 6li. 5s.; his wearing Cloathes, 2li.; Two bibles, 5s. each, 10s.; total, 27li. 12s.

*Inventory of the estate of Nathan Parker, who deceased Apr. 6, 1679, taken by Wm. Chandler‡ and Stephen Grenlefe, sr.:‡ house & halfe an Acree of land, 70li.; about five Acres of marsh meadowe ground, 19li.; a mare, a cow, 4 sheepe and 3 lambs, 10li. 10s.; three swine, 30s., wearing apparell & sum Linen, 7li. 10s., 9li.; beding, bedsteads and sheetes, 11li. 6s.; Iron Cettles, pott and tramell & small skellett, 2li. 5s.; bridle, sadle and pillion, 1li.; peuter, glass bottles and bookes, 1li.; working tooles, 3li.; a gunn, snappsack, bandelers, powder hornes, powder, 1li. 15s.; Chestes, table and boxes, chaires and lumber, 3li.; bedstead, sledd and reele, 1li.; tennant saw & a long percer bitt, 10s.; due to him uppon severrall Accounts, 28li.; total, 161li. 6s. Debts 13li., making total, 148li. 6s.

†The will of Willallam (his mark) Allen, sr., of Manchester, dated June 7, 1678: "Imprimes I doe make my wife Elezebeth Allen my full & Sole execcutor of all my lands & goods duereing her life & after y^e deth of my wife to be dissposed in maner & forem as folleth y^t is to say I give to my Sone Samuell y^e remayner of y^e five & twenty acer lott which he all redy poseseth y^t is to Say y^e uplands & y^e sheare of y^e fresh medow belonging thereunto I give to my too Sonns onesephoras & Willam Allen my wholle fifty acer lott wth all y^e devissons & apurtenances belongin to it wth y^e propriety of all commons devidded & undevidded belongin to it & an acer of Sallt marsh at y^e lower end of my orchard y^t I purchased this I give to my too Sonns onesephoras & Willam Allen to be equally devidded betwene them booth after y^e deth of me & my wife & it is farther to be understood y^t as my Sone onesephoras hath

‡ Autograph.

Vinson Galishon dying intestate, Richard Reeve was appointed administrator of the estate, and an inventory* brought in was allowed.

half an acer in present poseson joyning to his hows y^t lyes in my orchard Soe my Sonn willam Allen to have hallfe an acer joyning to his hows in y^e Same maner In wittnes where of I y^e Said Willam Allen have put to my hand." Wit: Thomas (his mark) Jonnes and Samuell Friend.†

"The Widow Allen Testifieth That her husband William Allen deceased gaue his Sonne Samuell more then he gaue his other Sonnes thes things following & that therefore he gaue him not A double Portion first at his first mariadg or before helpt to buld him An house Secondly he gaue him Thre Cattell one After Another Thirdly he hath bin helpfull unto him Cince as he Could."

Inventory of the estate of William Allen, who deceased Jan. 30, 1678, taken at Manchester, Feb. 17, 1678, by Thomas West† and John Sibley: hows & land wth all ye medow belongin to it, 140li.; fivetene acers of upland lying in ye bounds of Beverly joining too ye great pon called Wenam pon, 20li.; Two oxen, a cow, two hyfers, too shepe & a horse, 18li. 10s.; Bed wth beding & other howsholld stufe, 8li.; total, 180li. 6s. 10d.; to be abated for the loss of horse & cow, 6li.

William Allin, sr., Dr. unto Phillipp Cromwell, 2li. 16s. 4d.; to Jon. Cromwell, 12s. 5d.; dated June 25, 1679.

Jno. whyting† certified, June 23, 1679, that "William Allen, deceased, his estate stands debtor unto my Master Capt. Georg Corwin, 8li. 1s. 9 1-2d."

William Allin of Manchester, debtor to Henry Bartholmew, 6s. 6d.; to William Browne, sr., 7li. 16s. 3d.

*Inventory of the estate of Vinson Gallison, taken Dec. 6, 1678, by Moses Mavericket and Samuell Morgan:† 1 paier of boots, 8s.; 1 cap cloth coat, 10s.; 2 parsells of Lien, 5s.; 1 whiett wastcoat, 4s.; 1 old shirt and drauers, 3s.; 2 whiett neckcloths, 3s.; 1 blue shirt, 1 whiett ditto, 7s.; 1 red wastcoat and drawers, 12s.; 1 cloth Coatt and Sarg briches, 12s.; 1 old hatt, 4s.; total, 3li. 8s. Due from Richard Reaf for a months servis, 1li. The sd. Vincent Gallison Dr. to Mr. Rich. Reeve reckoned with him while he was alive, 2li. 17s. 6d.

Since he dyed pd. to James Stilson for mending of shooes, 3s.; to John Curtis, 2s. 9d.; to Edw. Reede for digging ye grave, 4s.; James Dennis for a coffin, 10s.; ye jurie & other charge of his buriall, 9s. 6d.; for mackrell & other things unreckoned, 2s. 4d.; for his towne rate, 5s. —; total, 4li.

† Autograph.

John Millett dying intestate, administration upon his estate was granted to Sara, the relict, who brought in an inventory* which was allowed, and the house and land were bound for the security of the children's portions.

The will† and inventory‡ of the estate of Edward Waldron were proved and allowed.

*Inventory of the estate of John Millitt, taken by James Stevens§ and William Sargent:§ howse & baren and Land, 24li.; neate catell & a mare, 23li.; bedes & beding, 8li.; homemad cloth, 4li.; his waring clothes, 5li.; in howsall stuffe, 3li.; woole, 2li. 5s.; armes, 1li. 10s.; tooles, 12s.; lumber, 2li.; broadcloth, 10s.; sarge & Tabell Lining, 1li.; sheepe, 11li. 4s.; total, 86li. 1s. Deptes due from the estat, 13li.; the deptes paid the Estate aperes to be 73li. 1s.

†Will of Edward (his mark) Walden|| of Wenham, dated Mar. 22, 1678-9. "I Give to my Son Nathaniell walden: all my land on the Neck. In amount ten acres be there more or less Item the rest of my estate, I will thatt itt || be || equally divided betweene the rest of my children which I here name John Walden Hannah Walden, Ruth Walden Naomi Walden, & Elizabeth Walden. If any of these my children dy before they come of Age to possess their portions It shall be equally divided among the Survivinge If they all dy itt shall fall to the nearest of Kin And I make my Son Nathaniel Walden sole Excecutor of this my will & I desire my Loving freinds Cap^t: Thomas Fiske, & Charles Gott to oversee this my will." Wit: Joseph Gerrish§ and Sarah (her mark) Moulton.

Joseph Gerrish, aged about 29 years, testified that he heard EdwardW alden say he had done enough for his two daughters, Mary and Thomasin, already and therefore saw meet to leave them out of his will. Sworn in court.

‡Inventory of the estate of Edward Waldern, taken 20 : 4m: 1679, by Thos. Fiske§ and Charles Gott:§ ten acres of land, 25li.; twenty pownd Remaingd upon a Bill to be paid in fowre yers following, 20li.; another Bill to be paid in 9 yers following, 17li.; one Cowe, 3li. 16s.; one gun, 1li.; Cloathing, 2li. 4s.; Tramell & pothooks, 6s. 6d.; one old kettle & one old ax, 3s.; due from Samll. Fiske, 6s.; in Beding, 1li. 16s.; Bedstead, 5s.; total, 71li. 16s. 6d. Debts due from the estate; to the Docter, 2li. 8s.; to John Fiske, 2li. 2s.; Goodwife White, 10s.; Goodman Woodward, 5s.; Goodman Pearce, 5s.; John Walderne, 10s.; Hannah Walderne in mony, 13s.; mony to Mr. Gerrish, 5s.; Mr. Gerrish by Rate, 6s. 5d.; Joseph Fowler, 2s.; total, 7li. 6s. 5d.

Thomas Oliver dying intestate, Bridget, his wife, was appointed administratrix, and was ordered to bring in an inventory to the next Salem court.

In answer to a petition of Mr. Jere. Hubbard, court declared that as the town of Topsfeild had not attended the order of the last Ipswich court, the selectmen were ordered for their neglect to appear at the next Ipswich court.*

*Petition of Jer. Hobart,† dated Topsfield, June 24, 1679: that the court's order in relation to the affairs of the minister of Topsfield which was given at the last Ipswich court "lieth dormant, and hath taken small effect as to the true ends and purposes of it, as I apprehende appears by A voate of the Towne upon Aprill 29 last past, & their actings ever since, to the great inconveniencye of their poor minister, who begs his redresse at the hands of this honoured Court, as yo^r Worships shall Judg meet."

Copy of the town records of Topsfield, made, June 21, 1679, by Frances Pabody,† cleric: "the towne of topsfeild at a towne meeting 29th of aperel 1679, hauing heard an order Red that was made by the Counte Court at Ipswich Concerning oure being requiered to pay a some of 60 pound to m^r Jerimie Hobart which as the saide order seemes to expres was promised for his incorigment to Com to topsfeild we being in the darke about it and not knowing of ani towne act that euer past nor ani towne record that holdes forth ani such thing we doe Conceue it needfull to suspend untel there be a forder opertuniti to be beatter satisfied by making inquire at the next Counte Couert upon whot groundes m^r Hobarts petision was made and also how the towne Comes to be 60 pound in his debt.

"the towne hath agreed by vot that John gould shall enter these names with the somes at eueri manes names end and what shall be sent to him to enter in the towne booke and to be binding to eueri man for what they haue freeli subscribed to giue to m^r Hubard for his Coming to topsfeld to except of ministerial ofes — voted

"this writeing witteseth that we whose names ar under written doe bind oure selues our ares exectetors adminestraters or assignes to pay or Case to be payde to m^r hubard or his assignes within fore yeare after m^r Hubard doth Com and enter Apon the ministri heare at topsfeald what we doe subscribe toe or eueri man doth giue in under his hand this som is in Consideration of a parsil of land that the towne Cold not healde m^r Harbord with and an acowunt of what m^r Hubart

† Autograph.

Phillip Parsons and Sara Needham, for fornication, were ordered to appear at the next Ipswich court, together with the witnesses, Samuel Apleton, jr., and Thomas Gatchell.

The petition of William Dodg and his wife was referred to the next Salem court.

Magilligon's wife, presented for absenting herself from her husband, night and day, was ordered to be whipped, which was done.*

William Nick, presented for being disguised in drink, was fined, and ordered to pay the witnesses, Joseph Phipen and Reuben Guppy.

The wife of William Dicer, for railing words to Mrs. Hollingworth, also for abusing her and cursing, was fined.†

Alexander Greime and Sarah Lambert, for fornication, were convicted, and he was ordered to pay 2s. 6d. per week for the maintenance of the child, the marshal to distrain weekly if not paid. Sarah was ordered to be whipped.‡

doth lose at amsberi in Coming to us heare at topsfeeld — voted: deeken howlet, 5li.; Isak Comings, sr., 2li.; John Comings, 2li.; Samuel Howlet, 1li.; Philip Welch, 10s.; Isack Foster, 1li.; John Willes, 1li. 10s.; William averil, 1li.; James How, jr., 15s.; neamia abbit, 1li.; Henary lenard, 5li.; Samuel lenard, 1li.; nathaniel lenard, 15s.; thomas lenard, 10s.; John goold, 1li.; thomas perkins, 3li.; Isack Este, 1li.; Jacob towne, 1li. 5s.; thomas dorman, 1li.; mikall donil, 10s.; Joseph towne, 1li. 10s.; old father how, 1li. 10s.; John french, 1li.; Joseph pabodi, 1li.; Jno. Low, 1li.; Mathew stanli, 1li.; Edman towne, 1li. 10s.; William Smith, 1li.; Ed. Bridges, 1li.; frances pabody, 3li.; Ephrom Dorman, 1li. 15s.; John Ramsil, 15s."

*Marblehead presentment. Wit: Robert Bartlett and Jeames Denis.

†Wit: Mathew Duch, Rebecka Pention, Hanna Frend and Hanna Collier.

Mathew Dutch, aged about twenty-six years, and Rebeckah Penision, aged about twenty-three years, Hanna Friend, aged about twenty years, and Hanna Collier, aged about twenty-six years, deposed that they heard the wife of William Diser call Mrs. Hollinwood a black-mouthed witch and a thief.

Mrs. Ellenor Hollenworth, aged about fifty-six years, and Hanna Collier, aged about twenty-six years, deposed.

‡Wit: Mistress Woodberey, midwife, and Brigitt Skerey.

Joseph Gray, for drunkenness and swearing by his Maker, was fined.*

Joseph Newall and Susanah, his wife, for fornication before marriage, were fined.†

John Rayment, jr., and Hanna Goldsmith, for uncivil carriages, were ordered as follows, she to be whipped and he to appear at the next court.‡

*George Emorye, for swearing and cursing, was fined.§

Robert Starr dying intestate, administration upon his estate was granted to Mary, the relict, who presented an inventory.|| She was ordered to have the whole estate for the maintenance of the children until the court should take further order.

*Wit: Mr. White, Steven Souell and George Pelle.

Resolved White, aged about sixty-three years, testified that about three weeks ago he saw Joseph Grey flat on the ground dead drunk, and his mother-in-law came and took 20s. out of his pocket and a pair of worsted stockings. She did not know how to stir him and went to his brother Robert Gray and Stephen Sowell and his own wife to help her carry him into Goodman Peale's house. They carried him one by the head and the others by the heels and laid him on a bedstead that had nothing on it but cords. For all this moving, he never moved. But when he roused, his wife sitting by his bedside, labored to keep him in and he swore and tore most dreadfully, etc.

George Peall,¶ aged about thirty-five years, deposed.

†Lynn presentment. Summons, dated June 25, 1679, served by Joseph Rods,¶ constable.

‡Wit: Jakob Pudeator, An Pudeator and John Abitt. Summons, dated June 29, 1679; Henry Skerry,¶ marshal of Salem, appointed Richard Hutten his deputy, and no return made.

§Wit: Capt. John Prise and Mr. Whitte.

Jno. Price,¶ aged about thirty-three years, and Resolved White¶ testified that having hired Mr. White to cart stones, Dr. Emery stopped the cart by the corner of his house and swore that he should not pass, threatening to stab said White and his horse.

||Inventory of the estate of Mr. Robert Starr, "who was murdered by the hands of ye Barberious heathens," taken June 25, 1679, by Joseph Phippen¶ and Edward Wollon:¶ a House and Orchard & Ground, 130li.; on Bed Ruge & 2 blankets, 3li.; on Bed Ruge wth 2 blankets & Curteine, 6li.

¶ Autograph.

John Person, aged about sixty-three years, and Isaack Hart, aged seventy years, testified that they saw Edward Taylor give possession by turf and twig, to Hananiah Parker and John Townsend, of his farm of two hundred acres in Linn. Sworn in Reding, 4 : 10 : 1678, before Thomas Danforth, assistant.

Timothy Lindhorne arrived in Salem, Aug. 12, with the ketch called the Vine of Poole which came in her ballast only an account of about 20 or 25 bags and two hogsheads of malt, they holding more or less, as the aforesaid master desired to

10s.; five paire of sheets & 18 table napcins, 7li.; on Cubbard Cloath, 5s.; three paires of piloberes, 12s.; two Chestes, 14s.; on Chest & Cubbard wth a table, 1li. 5s.; on bedstead, table & forme, 1li.; on Iron Citle and two Iron pots, 1li. 2s.; on Litle brase pot & a brase skillet, 5s.; on paire of Dog Irons, 1 hack, two pothooks, on friing pan & spit, 11s.; seaven platers, 4 porrengers, 1 warming pan, on salte seller & a Candlestick, 1li. 10s.; foure cheares, 1 Looekin Glase, 2 boxes, 9s.; on Linen wheel and one woolen wheele, 5s. 6d.; total, 154li. 8s. 6d.

Meary Nick, late relict of Robert Star, deceased, petitioned the court for her thirds, she being a widow and having four children very young, two of whom she had put out and two she had kept with her.

Copy of deed of gift, dated Sept. 30, 1665, Robert (his mark) Starr declared "it is my Ingagement neuer to be altered nor reversed, by me, that the dwelling house I now liue in, together with the land belonging to it, the which house & land was giuen me by my father in law, Richard Hollingworth as a portion with my wife; I say that house & land, I doe giue & bequeath unto Cap^t Richard More & m^r Phillip Cromwell whoe are guardians to my three children," for the use of the children, Robert, Richard and Susanna, and if any died, the survivor was to have their share; if all died, the estate was to revert to himself. Wit: Frances Waineright and Edward (his mark) Woollan. Acknowledged, Mar. 18, 1671, before Daniell Denison.

Robert (his mark) Starr, of Salem, mariner, assigned to Mary Conckling, "my espoused wife," on Sept. 12, 1669, upon consideration of marriage all his household goods and moveables with all that was her own. Wit: James Smith and Nathaniell Felton. Acknowledged, Mar. 18, 1671, before Daniel Denison. ~~X~~ Copy made by Hilliard Veren,* recorder.

* Autograph.

have entered on Aug. 19, 1676. Entered by Hilliard Veren, recorder.

"Att a Generall Court held at Boston 10th of october 1677 This Court hauing this session Appointed & setled a Captaine & Ensigne ouer the military Company at Rowley in the vacancy of those places and in opposition thereunto & dissattisfaction wth the order of the Court therein a petition hath binn prefferred subscribed by many names but written wth one hand, wherein appeares the euill spirit of diuers there who haue lately reproached the churches and the members thereof which this Court hath borne testimony against, though wth as much lenity as the cause would Admitt of all which not wth standing they haue abused the Courts favourable Indulgence by this Seditious petition which this Court Judgeth themselves bound to take due notice off so farr as to ord^r that John Acie & Jonathan Platts forbear to concerne themselves in their Toune or military affayres till further order from this Court and that the rest of the petitioners are hereby requested to Attend the Courts order as to the military Commanders." Copy made by Edw. Rawson,* secretary.

List of presentments, dated June 25, 1679, signed by Jeremy Neale,* in the name of the rest of the grand jury:

Thomas Wattkins and Elesabeth, his wife, for fornication before marriage.

Remember Sallmon, widow, for fornication.

John Mashoone, for being much disguised with drink. Wit: John Norman and Henery West.

John Wakor and Elizabeth, his wife, of Beverly, for fornication before marriage. Summons, dated June 25, 1679, served by John Sampson,* constable, who returned that they had removed from town.

Thomas Parker and his wife, for fornication before marriage. Summons, dated June 25, 1679, served by John Sampson,* constable of Beverly.

John Ballard of Lyn, for selling strong beer and cider to soldiers upon training days without license from the court. Wit: Fransis Bural. Summons, dated June 25, 1679, served by Joseph Rods,* constable.

Summons, dated 26 : 4 : 1679, for Joseph Gray's appearance, for abuse of his servant, also to Samuell Collens, as a witness, signed by Hilliard Veren,* cleric, and served by Nehemiah Willoughby,* constable of Salem.

Venire, dated May 27, 1679, for Salem, signed by Hilliard Veren,* cleric, and served by James Simonds,* constable, who returned the names of Mr. Hen. Bartholmew, Mr. Hilliard Veren, jr., Mr. Benjamin Geerish, John Sanders, Joshua

* Autograph.

Ward, Thomas Putnam and Frances Nursse for the jury of trials.

Venire, dated May 12, 1679, for Lynne, signed by Hilliard Veren,* cleric, and served by Thomas Laughton, jr.,* constable, who returned the names of Ensign Fuller, Daniell Huchins, Jacob Knight and Samuell Tarbox for the jury of trials. At a Lynn town meeting, 3 : 4 : 1679, Capt. Walker, Capt. Marshall and Mr. Thomas Laughton were chosen commissioners to end small causes, and Samuell Cobbett and Joseph Roads, constables.

Venire, dated May 12, 1679, for Gloster, also summons to John Pearce, for disturbing the peace and absence from public worship, and to witnesses, William Seargent and Deacon James Steevens, signed by Hilliard Veren,* cleric, and served by Thomas Millet,* constable of Gloster, who returned the names of John Davis, sr., for the grand jury and William Hascoll, jr., for the jury of trials.

Venire, dated May 14, 1679, for Marblehead, also summons to Edward Berry, for not living with his wife, and to Richard Joanes, for calling Elizabeth Poe vile names, signed by Hilliard Veren,* cleric, and served by Thomas Hokkens,* constable, who returned the name of William Nick for the jury of trials, and also certified that Richard Jones had been gone from Marblehead about half a year.

Venire, dated May 12, 1679, for Beverly, signed by Hilliard Veren,* cleric, and served by Will. Dodg,* constable, who returned the name of Joseph Dodg for the jury of trials.

Richard Richards, Dr., 9 : 2 : 1677, to 10 1-2 gall. wine 2s. 6d. p., 1li. 6s. 3d.; to 2 Combs 5 d. p, 10d.; 10 : 3, to 1 knife, 8d.; total, 1li. 7s. 9d. p contra. Cr., p 300 ft. mercht. Bord, 15s. pr. me Jno. Higginson.*

Mr. Tho. Elbridg's petition: that about this time two years ago, he presented a petition telling how it was with him and into what condition it had "pleased the lord by meanes of the cruell heathen" to bring him, he having lost his all and had a wife and five children to maintain with no way to earn a living. Court granted him then a license to sell drink out of doors, but living out of the way in a poor house could not make a living, but ran in debt. He has now moved to a house near the town for which he is to pay a great rent, and asks that he be granted a license to sell within doors.

John Emerson,* pastor of the church of Glocester, certified, June 23, 1679, that "John Peirs Jun. of Glocester came to our House to invite my selfe & all my family to a Quakers meeting which he sayd was to be at his House the next day at ten of the clocke or thereabouts I labored to convince him of y^e evil of it & y^e breach of y^e Law of this Commonwealth but

* Autograph.

he was very impudent & bold & sayd they were neither afrajd of the Laws nor Magistratates nor any man I answered I thought he sayd very true for I beleived they neither feared God nor reverenced man. And so he went away very stiff & obstinate & as I heard went from house to house to invite mens children & servants y^e most part of y^t Night."

On 18 : 12 : 1678, Edm. Batter,* commissioner of Salem, certified that Alistor Grime, complained of for abusing and wounding Constable Will. Curtiss when he was searching for stolen goods by warrant, and confessing before Mr. Bartholmew Gidney and Edmund Batter, was ordered to appear at the next Ipswich court and bound to good behavior. The "season of the year being very cold we durst not keepe him long in the prison" and upon security procured, they let him out.

Mr. Richards' petition, 1679: "—— that for many reasons as first —— his house now standeth not upon —— Cottager & no righte to prueledg in Commons other —— of A roade way thorough our feilds to ye Town —— men were much out of y^e way to lay out such a —— grate dammage if not wholly ruinateinge of our feilds & secondly —— w^h his Father kinge gaue him in his farme lyinge in Commons lyeth another way, (that is towards his Brother Ralph Kinge & by his last will & Testament) hee, that is, Mr. Kinge in y^e donation of the lande where Ezekiell Needeum his house now standeth, hee is bound to fence the aforesayed lande, & in nowise to incumber nor trouble his neighbors, uppon y^e danger of the forfeiture the titlle thereof, as alsoe, unto & from y^e Towne commons, & his propietie in common landes; & there is an ancient Common Roade way, both drift, horse, carte & foote, which leadeth to Linn, Salem, Boston & Marblehead & is now made use of Contentedly by his & our neighbors as aforesayed of custom hath ben in times past, besides all this som of us as namely Nickolas Huchisson is wholly out of capacitie either to giue graunte sell or any manner of wayee to consent to such a thing as Ezekiell Needeum hath or is agitatinge aboute laying out A way in this place, for hee is but A tennante uppon A Lease for som certaine yeares ensuinge & his landlord liueth far remote out of this collony & is unackquainted wth this diuydence in land for A hyway thorough his lande, Nickolas Huchins is annually bounde to pay his rente (but how will that be accomplished if his tillable landes & meddow be layd wast for A roade way for ezekiell Needeums use & what deniall in reason can bee giuen if this roade way should so unreasonably bee graunted & confirmed but in process of time against law & custom will bringe to effect that wee the true & sole proprietors shall

* Autograph.

haue A roade country way through this our anciente improved & inclosed feilds & then I besech youre honnours consider how its euer possible ezeikiell Needeum will euer for such an unneighborly incumbrance be able to make us any competent satisfaction for such A continuall yearely dayly & continuall destruction in our feilds & labors, the presage of w^h exsept timely use of meanes preuent wee see is like to ensue & fall uppon our estates & although wee might enlarge A very grate deale more in y^e layinge open of this so unneighborly an acct offered unto us wee only craue y^e libertyes that y^e lawes of God & cristian gouernment alloweth us som of w^h wee recite, only, first giueinge your Honnours to understande y^t y^e incumbrance made for this way by Ezeikiell Needeum & y^e selectt men as aforesayd is uppon y^e ancient graunte of house lots & whence wee finde by law house lots adioyneinge each to others are to mainetayne theire fence by equall proportion whether improved or not, Law, title fences, 2 book of lawes page y^e 12 & cottages is well knowne to all By Law tittled cottages haue no tittlee in Commons & then if no tittlee in commons by consequence it followeth not of righte for Needeum aforesayd to — court or y^e selectmen to — out a way to pass through too & fro & — are y^e parents of y^e country, wee are children willingly to sub— to wholesome gouernment wee will not sell our birthrighte for A mess of pottage wee doubte not but youre hounours will assure us releife,

“Moreouer its well knowne in this country that the anciente country Roads betwixt marbllehead & Lin & Boston went thorough all m^r Kings farme nere to Mr. Kings dore, & not far from y^e place ezeikiell needeums house standeth but m^r Kinge fndinge y^e inconuenience of it used y^e means & it was remoued where it now is & if it be in y^e minds of any of y^e aforesayd m^r daniell Kinge his suckessors to procure a roade way through our lands for their occasions & stop up this ancient way, this in so doinge wee most humbly conceiue to contradict law and justice. Nickolas Huchins,* Edward (his mark) Richards and Benjamin Farr.*”

Petition of Sarah Hathorne* of Lynn, widow: that her husband for many years had kept a house of public entertainment in Lyn “as is well knowne to y^e Hono^d Court & Countrey. . and was at great charge to fit both house & provide necessary goods for such an end, at length it pleased God to take him from mee y^r poore supplicant & left mee under many debts w^{ch} I must & ought in conscience to take an honest care & course to pay them. . and her house standing soe In y^e Rhoad way of Travellers,” she requests a renewal of the license.

* Autograph.

Copy of an order of the General Court, May 28, 1679, made by Edw. Rawson,* secretary: that the Chebacco inhabitants who were urging the erection of a meeting house against the advice of the council were to appear at the next Salem court and make acknowledgment.

John Gittings, Joseph Gittings Abraham Martain, Seth Story, Hannah Goodhue, Hannah Martain and Thomas Varny, for his wife, acknowledged, in court, 25 : 4 : 1679, that "we are convinced that wee haue offended in being actiue to erect a meting hous contrary to the aduis and probobession of the Counsell for which we are sory and desier it may be forgiuen."

From the files of the Salem Commissioners' court:

Writ: Mr. Edward Norris, sr. v. Anthony Dike; debt, for teaching his two sons to read and write; dated 30 : 9 : 1678; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

William Curtis, constable, was some time the last week at Samuell Prince's chamber and there among other discourse he heard Arthur Huse swear by God.

Writ: Mannasseh Marston v. Samuell Silsby; for taking up a horse and detaining him; dated 13 : 10 : 1678; signed by Hilliard Veren,* for the court and clerk of the town of Salem; and served by Henry Skerry,* marshal of Salem.

John Marston, aged about forty years, testified that some time last spring when John Tally made up his accounts with those who were concerned with him in his late Virginia voyage, Tally said that there were three hogsheads of tobacco at Boston that belonged to the cargo and Mr. Eliezer Gedny had an interest in one-quarter of the cargo.

James Browne, aged about thirty-one years, asked to tell what he knew about John Chaplin, deposed that he saw him much disguised with drink just after the privateer ship came in and he used bad language. Sworn, 7 : 11 : 1678.

Thomas Clearke deposed that one night being upon the watch in company with Mathew Barton when the privateer lay within Baker's Island, as they were walking the rounds they heard a loud noise at or near the door of John Williams, the cooper, and it was John Chaplin drunk. Jonathan Barton testified that he saw the man but being a stranger did not know his name until Clarke told him it was Chaplin. They further said that Chaplin swore and said "now is the time to get money, the privateer wants horses," etc. Sworn, 7 : 11 : 1678.

Writ: Eliazer Gedney v. Jno. Tauly; for not delivering one hogshead of bulk tobacco; dated 25 : 10 : 1678; signed by Hilliard Veren,* for the court and clerk of the town of Salem; and served by Henry Skerry,* marshal of Salem.

Benjamin Gerish* certified at Salem, Dec. 28, 1678, that he was interested with John Tauly and Eleazer Gedny in three hogsheads of bulk tobacco which Tauly loaded on board the Willing Mind, Robert Right, master, in Virginia, some time in 1677 which ketch arriving in Boston and the tobacco being in bulk and landed in Mr. Wharton's warehouse not looked after seasonably occasioned much damage if not a total loss, whereby Benjamin Marstone was acquitted from all obligations, etc. Wit: John Rucke* and Hilliard Veren, jr.*

Benjamin Gerrish, aged about twenty-four years, testified. Sworn, 27 : 10 : 1678, before Bartho. Gedney,* commissioner.

* Autograph.

Manaseth Marston, aged about thirty-four years, testified. Sworn, 7 : 11 : 1678.

Writ: John Norman v. Samuell Morgaine; debt, for trimming a boat, with all materials; dated 28 : 11 : 1678; signed by Hilliard Veren,* for the court and clerk of the town of Salem; and served by Henry Skerry,* marshal of Salem.

John Norman's bill of cost. 1li. 5s. 4d.

Mr. Samll. Morgan is Dr. to 4 hands 4 dayes work, 2li. 8s.; 10 Timbers & 4 harpines on a side, 12s.; 60 foot of oake Board at 1 1-2d., 7s. 6d.; one hundred of pine boards to seale, 5s.; 20 foott of 2 Inche oake planke, at 2d. per foot, 3s. 4d.; 30 foot of Pine planke to Lay the Cuddy, 5s.; a Knee layd, upon Sterne post & keel, 2s.; 1 Thoughts & 3 knees, 3s. 6d.; 24li. of oakum at 2 1-2d., 5s.; 34li. of Roasin, 7s.; 5li. Double Tenns at 2s., 10s.; 1li. 1-2 Nayles at 4s., 6s.; 6 qts. oyle, 4d. per, 2s.; 1li. of Trunnels, 1s.; total, 5li. 17s. 4d. Sworn, 4 : 12 : 1678.

Daniell Bakon, aged about thirty-eight years, deposed that he helped haul up the boat, etc. Sworn, 4 : 12 : 1678.

Account of goods John Norman of Salem had of Samuell Morgin: one half hundred breade, 9s.; one pease of kenttin, 1li. 8s.; one barill of mackerill chaise, 1li.; total, 2li. 17s.

James Browne, aged about thirty-one years, deposed that sometime in December or January, 1677, he was at work at the house of Richard Norman at Marblehead and in the evening Mr. Ely Gidney of Salem came in with John Norman, Daniell Bakon and Samuell Morgan of Marblehead. Norman demanded 5li. 17s. of Morgan for nails, etc., but the latter said it was too much, and they agreed to leave it to Mr. Elie Gidney and James Dennis of Marblehead, who awarded 5li. Sworn, 4 : 12 : 1678.

Samll. Roapes, aged about twenty-two years, deposed that the boat which they hauled up to mend was in such a condition that they could hardly keep her together and they were forced to put in many new timbers and nails. They worked upon her three or four days. Sworn, 4 : 12 : 1678.

Warrant, dated Feb. 3, 1678-9, for apprehension of William Smith, for drunkenness, also John Pease, for selling drink contrary to law, and summons to Edmund Bridges and Wm. Reeves as witnesses, signed by Barthol. Gedny,* commissioner.

Edmo. Bridges and William Reives deposed that about the beginning of this winter as they were coming from Ipswich they called at John Pease, jr.'s, house, asked for a gill of rum and paid for it. Sworn, 4 : 12 : 1678.

Warrant, dated 28 : 11 : 1678, for the apprehension of Nathaniell Bedle upon complaint of William Curtis, constable, signed by Edm. Batter,* commissioner of Salem.

William Curtis' complaint against Nathaniell Bedle: "a coming from m^r verins one the 18th day of nouember in the night hauin Receaued a warant of m^r verin I thought Good acoming along to Go in to the ordnares to se whether there was any of my ward to warn them to take the oth of Allegiance and I went into two Romes and I found seuerall of my ward and I went into M^r Kings kitchin and there I found M^r King & Nathaniell Bedle & Samuell Williams and I warned them according to order to take the oth and it Came into my mind after I had dun to ask Nathaniell Bedle for the ministers Rate becaus he promised me to pay it to Mr. Higinson and he had not dun it as I could understand from m^r Higenson and he spoke in a rage and caled me pitifull Cur and asked me why I asked him for the rate at that time and my reson was becaus he had not paid it and he Caled me foole and Shaked his pocket and said ther was mony and asked me what his case was and I went to sho it to him and he said he would se me hanged before I should haue any of it to pay M^r Higenson but bid me com to his hous and he would take a Cors with me and pay me the rate and I went to M^r King's twice with my black staf that night to warn him out of the hous where he was drinking after 9 Clok and he refused to obey me but made a skof and a scom at me

* Autograph.

with scornfull speches and the rest of them that were in the rome besids. and the next Saterdag, folouin at the barbers shop I was there & Nathaniell Bedle and he fell into discource with me about this Contention, and many Reproachfull words he gaue me for many people that herd it were ashamed to here him and he told me that I were again to strik him with my black staf when I went to warn him to Goe out of the hous that night and he told me that if I did he would athroed me at the bac of the fire therefore he told me it was well for me I did not." John Willkenson, Richard Maybe and Thomas Bell testified to the same. Sworn, 4 : 12 : 1678.

Search warrant, dated 14 : 9 : 1678, to go in all suspicious places, houses, cellars and vessels, or where Samuell Archard shall direct for some wood of his which was stolen last night, signed by Edm. Batter,* commissioner, and served by William Curtis, * constable, who returned that he found about three feet of the wood in John Clifford's canoe, near Clifford's house, and his servants owned that they took it.

Warrant, dated Feb. 3, 1678-9, for the apprehension of John Buroughs, William Dicer's man, for drunkenness, and also Ishack Foot as a witness, signed by Bartho. Gidny,* commissioner.

Writ: Mr. Edmund Batter v. Capt. James Smith; debt; dated, 16 : 11 : 1678; signed by Hilliard Veren,* for the court and clerk of the town of Salem; and served by Joseph Webb,* marshal, by attachment of a quart pot and dish which William Godsaw said belonged to Smith, and the latter's wife owned them to be his.

Mr. Edmund Batter's bill of cost against Capt. James Smith, 18s. 6d.

Summons, dated 3 : 1 : 1678, to Edward Woollins, Edmund Bridges and Samuell Prince, as witnesses in the action between Mr. Edmund Batter, attorney to Walter Penuell and William Bowditch, also to Phillip Lues and said Bowditch, signed by Wm. Hathorne,* assistant.

Philip Lewis' bill of costs against William Bowdidge, 7s. 6d.

Writ: Phillip Lewis v. Mr. Wm. Bowditch; for withholding his share in a fishing voyage made in the said Bowditch's ketch; dated 19 : 12 : 1678; signed by Hilliard Veren,* for the court, and clerk of the town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of the land on defendant's wharf.

Writ: Mr. Edmund Batter, attorney to Walter Penuell v. Mr Wm. Bowditch; for withholding a part of his son John's fishing voyage, he having gone with Bowditch, and for withholding the account of the voyage; dated 19 : 12 : 1678; signed by Hilliard Veren,* for the court, and clerk of the town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of defendant's land upon his wharf.

Phillip Lewes, Dr.: 16 : 11 : 77, To 6 large cod Lynes at 4s. p., 18li.; Led at 4d., 3 pecks pease, 1li. 13s.; 13 : 12 : 77-8, to 5s. pd. Mackmillo, threed, 4d., 12d. mony, 6s. 4d.; 19 : 13 : 77-8, to pipes, 2d., 1 Barr. porke, 3s. 15d.; 1 Bush. Indian, 3s. 8d., 3li. 18s. 2d.; 28 : 1, to 1-2 Bush. of pease, 2s. 3d.; thread, 5d.; fillating, 8d.; Buttons, 8d.; thread, 4d.; buttons, 4d.; to 2 large cod lynes, 8s. 8d.; 1 doz. cod hookes, 3s. 6d.; 10 : 2 : 78, to 3 yds. serge, at 4s. 6d. per yd., 1 yrd canvas, at 2s. 8d., 15s. 6d.; silke, 1d.; thred, 6d.; 1 1-2 doz. buttons at 3d. per doz., 11 1-2d.; 23 : 2 : 78, 5 ounces of Thread at 5d. p, Tape, 4d., 2s. 5d.; 29 : 3 : 78, to 2 Bush. of Indian corn, paire of cards, 8s. 6d.; 30 : 3 : 78, to 4 1-2li. role Tobacco at 8d. p., 3s.; 4 : 4 : 78, to 1 Bush. of ry & 1-2 Bush. of Indian, 5s. 6d.; 29 : 4 : 78, to 1 Bush. of Indian, 1 qrt. of rum, 4s.; 12 : 5 : 78, to 5s. pd. Mary Arthy, 8s. to Goody Peddrick, 13s.; 26 : 5 : 78, to Bush. Indian corne, 6s.; 31 : 5 : 78, to 2 C. of hobb nayles & 1 pint of rum, 1s. 2d.; 12 : 6 : 78, to 1 doz. cod hookes, 4li. leaf Tobacco, 5s. 6d.; 27 : 6 : 78, to 1 Bush. Indian, & 1-2 Bush of ry to John Norton, 5s.; 2 : 8 : 78, to 1 1-2 Bush. Indian corne & 1 qrt. rum, 5s. 6d.; 1-2 Bush. ry, 1li. Tobacco, 1-2 Bush. Indian, 4s.; 16 : 8 : 78, to 1 qrt. rum, 1 Bush. pease, 5s.; 1 : 9 : 78, to 10s. silver, 10s. silver, allowance 2s. p li., 1li. 2s. 3d.; to 1 Bush. ry, 4s.; 7 : 9 : 78, 1 Bush ry, 3 pecks Ry, 7s.;

* Autograph.

12s. to his wife, 12s.; 16 : 10 : 78, to 5 qtl. refuse fish to Mr. Veren, sr., 2li. 10s.; 5li. pork, 20d.; to Robert Hodge, 1li. 11s. 6d.; 20 : 11 : 78, Thrid, 1s.; 1 Bush. Indian p miller, 4s.; to Blacke thrid, 4d.; mony, 12d. Cr., due to him on his fishing voyage, 19li. 2s. 10d.; by work done about ketch Willing, 5s.; 21 : 11 : 1678-9, due to Phillip Lewis, 1li. 15s. 2 1-2d. Sworn, 4 : 1 : 1678.

William Bowditch's bill of cost against Mr. Edmund Batter, 4s. 6d.

Philip Greely's bill of cost against Timothy Lindal, for ferriage at Salem and Salisbury, coming to Salem to get George Dane sworn, etc., 11s. 2d.

Warrant, dated, 3 : 1 : 1678-9, for the appearance of the wife of Arthur Gray, for keeping too much company on Lord's day with Allen Chard, signed by Edm. Batter,* commissioner, and served by William Curtis,* constable of Salem.

Warrant, dated 25 : 12 : 1678-9, for the appearance of Allen Chard and the wife of Arthur Gray, to answer for being in said Gray's house together in time of public service of God on Sabbath day last, signed by Edmund Batter,* commissioner, and served by Jno. Norman,* constable of Salem, who returned that he summoned Hellen Chard, but could not find Hana Gray.

Joseph Phippen, sr., and Henry Skerry, jr., tythingmen, deposed that going out of the meeting on 24 : 12 : 1678 to inspect suspicious houses, they found Goody Gray and one Hellen Chard, etc. Sworn, 4 : 1 : 1678-9.

Execution, dated Mar. 5, 1678-9, against John Darby to satisfy judgment granted Mr. John Turner, Mar. 4, 1678-9, at the Salem commissioners' court, signed by Hilliard Veren,* clerk, and served by John Williams,* cooper, deputy to Henry Skerry,* marshal of Salem, who, for want of goods, delivered said Darby to Turner to be his servant for seven months.

Summons, dated 28 : 12 : 1678, to the tythingmen of Salem, Mr. John Hathorne, Mr. John Ruck, Mr. Eleazer Gedney, Jeremiah Meachum, John Reeves, Samuell Williams, Jonathan Eger, Mr. Nehemiah Willoughby, Mr. Joseph Phippen, sr., Isaack Foot, Henry Skerry, jr., Elias Mason and John Roapes, to appear before the commissioners to take their oath, signed by Hilliard Veren,* clerk, and returned by Constable Serls.

Sarah Haven's bill of cost, 12s. Rich. Haven, sr., Rich. Haven, jr., Hannah Goodale, Joseph Mansfield, Susana Haven and Mary Tarrbox mentioned.

Summons, dated 26 : 12 : 1678-9, for the appearance of Will. Holace and William Raine, Jno. Becket's servants, for carrying away a boat without leave, signed by Edm. Batter,* commissioner, and served by William Curtis* constable of Salem.

Robt. Stone, aged about seventeen years, and Martin Majory, aged about twenty years, deposed that the ketch called the Supply being ready to set sail and bound for a voyage to the Southward, only waiting for a fair wind, the master Robert Stone, sr., wanted some iron to take with them. They went to get their boat to carry it aboard, but when they came to the water side the boat was not there, and Joseph Majory told them that William Rayne and another whom he did not know had carried it away. They were obliged to get another canoe, hoping the boat would be returned before evening. The master went to look for her, with four hands, as far as the bridge in Forest river but could not find her. The next morning they found her on Marblehead side near Frogmorton's cove, laden with wood and sunk, Hollis and Rayne being there and owning that they took her. They lost a day's sail, which would have taken them to Martin Vineyard sound. Sworn, 26 : 12 : 1678-9, before Edmund Batter,* commissioner.

Warrant, dated Apr. 4, 1679, for the appearance of Henry Kenny, for slandering Mr. Baily, minister, by reporting that he did not perform family duties, also summons to the wife of Nathaniell Ingerson, the wife of Jonathan Knight, Edward Putnam and the wife of Joseph Holton, as witnesses, signed by Hilliard Veren,* clerk of the court and for the town of Salem, and served by Joshua Rea,* constable of Salem Farms.

Complaint of Thomas Putnam, sr.,* John Putnam, sr.,* Daniel Andrew*

* Autograph.

and Nathaniel Ingersoll:* that Henery Keeney had greatly slandered their minister Mr. Bayely by reporting that he neglected family duties, at several places, at Line to John Colens, to the wife of Nathaniel Ingersoll, to the wife of Jonathan Knight, to Ed. Putnam and to the wife of Joseph Holtone, sr.

Ane King, aged about fifty years, deposed that being at Mr. Baly's house for three weeks together, she never heard him read a chapter nor expound any part of the Scripture which was a great grief to her.

Edward Putnam, aged about twenty-three years, deposed that he heard Kenny make the charges. The wife of Nathaniel Ingerson and the wife of Joseph Holten testified the same. Sworn, 8 : 2 : 1678.

James Smith,* Frances Geferd,* John Shepard* and Mary Woodrow* deposed, on Mar. 2, 1678-9, that they had lived in Mr. Bayly's family at different times and he always performed family duties morning and evening unless sickness or some other unavoidable providence prevented.

Francis Gefards and Mary Woodrow deposed that during the time they lived at Mr. Bayleyes house, one being a boarder there at times for the space of two or three years and the other having lived there for about a year and a quarter, he read the scriptures and other profitable books and also repeated his own sermons in his family, as well as family prayers. He always endeavored to keep good order in his family, carrying himself exemplarily therein.

Henry Skerry, clerk of the train band under Capt. Price, and John Williams, clerk also of the same company, deposed that going into the house of Robert Hodg to levy for a fine, and coming out again, they met him in the yard and he was in a rage, used many abusive words and threatened to knock out Henry Skerry's brains. Sworn, 6 : 3 : 1679.

Warrant, dated 6 : 3 : 1679, for the apprehension of Robert Hodg, for abusing an officer and clerk of the train band in the execution of his office, signed by Hilliard Veren,* cleric.

Writ: Mr. John Higgenson, jr. v. Mathew Nixon; debt; dated 26 : 2 : 1679; signed by Hilliard Veren,* for the court, and cleric for the town of Salem; and served by James Powllen,* constable of Salem, by attachment of the land on which Mathew Nixon's house stands and all the yard to Thomas Serle's house.

Mary Cock, aged about thirty-nine years, and Mary Brandway deposed that about Jan. 6 they were present when Mathew Nixon gave actual possession of his house and ground and delivered all his moveables to Walter Whitford and Bridget his wife, together with the house and land. Sworn, 6 : 3 : 1679.

Mathew Barton, complained of for drunkenness on the Sabbath day, confessed the fact, he appearing according to summons, dated 6 : 3 : 1679, with Tho. Rix and his wife, as witnesses.

Mathew Nixon, Dr. to Jno. Higgenson, jr. : 15 : 12 : 1674, to buttons, silk, 1 pt. Brandy, 3s. 6d.; 18 : 12. 1 pt. Brandy, 1 qt. Brandy, 3s.; 1 pt. Brandy, 2s.; wood stock, &c., 4s. 4d.; Brandy, 2s.; 19 : 5 : 74-5, Brandy 2s.; 1li. nayles & Brandy, 1s. 3d.; Cod lines & twine, 15s.; 1-2 doz. capl. hooks & mackerel hooks, 1s. 9d.; total, 1li. 12s. 10d. Sworn, 6 : 3 : 1679.

Warrant, dated Apr. 24, 1679, for the appearance of Thomas Brackett and his wife, for disorderly living in a way of discontent and clammer, and other abusive carriage, also to summon the wife of John Tompkins, Hugh Joanes, John Smale and his wife, signed by Hilliard Veren,* cleric, and served by James Simonds,* constable of Salem.

Members of the church appointed to inquire into the case of Tho. Brackett and his wife reported that they found Sister Brackett very blamable but she desired the help of their prayers to God for her. They found no legal ground to convict her neither was there ground to suspend her from the Lord's supper.

Thomas Maul's reasons for suspecting Sergt. James Brown of stealing goods from him: he was very well acquainted at his shop, and bragged that he could open the door with a cold chisel the very night of the theft; the next

* Autograph.

day he was very forward to charge many persons of better manners than himself with the theft and Maul had hard work to get rid of him, "whos company was noe welcomar then watar into a new ship," but if anyone charged him with it he would change countenance as if he "would a sounded away;" he prevented the watch going toward the bridge, and at the time that the shop was broken into, according to Francis Crod; he told Maul that the loss was not more than 30li. worth of goods when Maul claimed 100li.; by his own confession he was abroad that night until nearly 12 o'clock, and was seen in Maul's new house all alone about 9 o'clock, etc.

James Pouling and Edmond Bridges testified that they heard Brown say that the reason he was abroad so late that night was because it was a hot night and they were troubled with bugs and he could not sleep, etc. Sworn, 3 : 4 : 1679.

On May 30, 1679, Tho. Maull was bound to prosecute before Bartho. Gedny,* commissioner.

Thos. Maul and his wife Naomi deposed that Browne said in their shop that it would be an easy thing to steal their goods and Maull said "I thinke to hang a hamaker there," and Browne said he could get in for all of that. After the goods were stolen he told Maul that he need not be troubled for the goods would be brought back. Sworn, 3 : 4 : 1679.

James Browne's* declaration on June 3, 1679: that on Election day last in the morning about daybreak he heard a noise in the cellar of Thomas Vealie and after sun was an hour high, his wife came in and told him that people said that Maule's shop was broken into. He met Vealie in the entry and he said that they were fools for not searching for the goods at daybreak for if he had taken them he would have concealed them by that time; that when the constables searched Vealie's house the second time and found the ground hollow by running in a staff, he asked the constables if they saw an old chest in the cellar or in the house about two feet and a half long with a great hole cut in the fore part of it and below the hole a staple with a crooked iron hanging to it as they use to bring open the lid of it, and there was a staple which they used sometimes to lock with a padlock and the constables said they did not see it; that he had heard from several of not the meanest rank in town that Vealye had been often suspected of felony; that he had lost quantities of his winter provisions and suspected Vealye, etc. Sworn, 3 : 4 : 1679.

James Browne,* on May 30, 1679, gave bond for appearance.

Examination of James Browne, May 30, 1679, before Bar. Gedney, commissioner: that Brown asked the watch not to walk to the north east end of the town the first part of the night but toward the point of rocks, and Hill replied that four were ordered to stay by the prison.

Hannah Browne testified, May 30, 1679, that on May 27 at about ten o'clock, Roger Hill, one of the watch, came into their house and talked with her husband and as soon as he went, her husband went to bed, where he stayed until 7 o'clock the next morning. She went to bed a half hour later and on account of the child's crying she slept hardly at all that night. She arose a little before the cows went out and before that she heard her neighbor Vele in his cellar rummaging and turning out barrels, etc. Sworn, 3 : 4 : 1679.

William Peirce, aged about fifteen years, deposed that he was on the watch with Goodman Hill, William Curtis, jr., and others, when James Browne came to them and said he had some work for Hill to do the next day, etc. Sworn, 3 : 4 : 1679.

Sarah Bridges, aged about thirty-seven years, testified that being at Maule's shop she heard James Browne, glazier, etc. Sworn, 3 : 4 : 1679.

Hannah Sibly testified that she saw Brown in her master's new house when she was milking, etc. Sworn, 3 : 4 : 1679.

Jeremiah Neale, aged about thirty-four years, testified that about a half hour before the bell rung in the evening he met James Browne and George Thomas in the highway near the house where old Gaggaine now lives, and

* Autograph.

Browne went with him to deponent's brother Flint's house, where they stayed a short time until after the bell rung. Then they came out and Browne asked him to go into his house with him but deponent said it was very late and so Browne went in alone. Sworn, 3 : 4 : 1679.

Roger Hill, aged fifty years, deposed that Browne told him when he was upon the watch he had orders to go to the point of rocks first, etc. Sworn before William Browne,* commissioner.

William Curtis, jr., aged about sixteen years, testified. Sworn before William Browne,* commissioner.

Constable Poland and Will. Curtis, constable, affirmed that they used to order the watch to go down to the lower end first, etc. Sworn, 3 : 4 : 1679.

Mercye Marston, aged about thirty years, deposed. Sworn, 3 : 4 : 1679.

Writ: Capt. Richard More v. Thomas Chubb, sr.; debt; dated 9 : 3 : 1679; signed by Hilliard Veren,* for the court and clerk of the town of Salem; and served by Nehemiah Willoughby,* constable, who committed said Chubb to prison.

Richard More's bill of cost, 10s. 10d.

Susanah Duch, aged about twenty-eight years, testified that being at her father's house, Chubb came there. Her uncle Humphrey Woodbury was there also in the kitchen, who with deponent were witnesses that Chubb promised to pay her mother 20s., on account of his son Thomas, etc. Sworn, 3 : 4 : 1679.

Humphrey Woodbury, aged about seventy years, deposed that being at his brother Richard More's house in Salem, etc. Sworn, 3 : 4 : 1679.

Letter, dated Salem, May 12, 1679, from Francis Skerry* and John Choub* to Mr. Benjamine Felton to deliver Tho. Choub out of prison and they would be bound for him.

Fines, May 26, 1678, by Mr. Wm. Browne:

A stranger, for excessive drinking.

William Smith, for drunkenness and abusive language to Henry West, tythingman. He confessed that he drank at Ed. Bridges' and became drunk.

Edmond Bridges, for selling cider within doors by retail, was ordered to appear at the next court, and gave bond with Fra. Nurss and Chris. Lattamore, as sureties.

Petition of John Willkison:* that he had been sent for to answer for excessive drinking and keeping bad order in his house, which charge he denied, and asked to see his accusers to find out if the charges were not made on account of prejudice, etc.

Marey Indecot, aged about twelve years, deposed that she saw fiddling and dancing in John Willkesun's house and Hue drinking liquor there.

Margat Doling, aged about eleven years, deposed the same.

Hew Galloway, aged about twenty-two years, testified that they asked him to fetch a quart of rum and the next morning they wished to borrow a half crown of him. He bought a quart and drank it there and drank and paid for another quart at Wilkensun's house the next morning. Sworn, 7 : 8 : 1679.

Jonathan Ager and Isack Foott, tythingmen, upon complaint against Mary Meds for constantly neglecting the public worship of God on the Lord's day, went to her house, knocked at the door "and caled and at lenth waked her dafter and with seuerall calings she wakened her mother and so let us in, and being asked the reson of the aboue said neglect and she said with angrie words we had more neede to look after Rude boys: and bid us goe out of her hous: and said she cold not nor wold not goe to metting for none of them all." Also they had told Isack Whitecer, servant to Francis Skerry, at several times when they met him, to go into meeting, threatening to report him to authority, but he did not mind their words.

Writ: Edmund Batter v. Jno. Bouden; debt; dated 2 : 3 : 1679; signed by Hilliard Veren,* for the court and clerk for the town of Salem; and served

* Autograph.

by Henry Skerry,* marshal of Salem, by attachment of four chests, a bedstead, rug and a chair of defendant.

Writ: Mr. Edmond Batter v. Walter Fairefeild; debt; dated 9 : 3 : 1679; signed by Hilliard Veren,* for the court, and clerk of the town of Salem; and served by Henry Williams,* deputy for Robert Lord,* marshal of Ipswich, by attachment of a house of defendant at Wenam.

Writ of replevin, for a horse of Edward Wharton's, deceased, seized by Ezekiel Needham, to be delivered to Samuell Shattock, attorney to George Wharton, administrator of the estate of said Edward; dated June 23, 1679; signed by Hilliard Veren,* for the court, and clerk for the town of Salem; and served by John Bullock,* deputy for Henry Skerry,* marshal of Salem.

Ezekiel Nedham's bill of cost, 1li. 13s.

Samll. Shattock's bill of cost, 1li. 15s.

John Bullock, aged about twenty-four years, deposed that this horse was formerly Edward Wharton's, and he had heard Needom say that he took it up with a rope about his neck. Since then deponent had seen a brand of E. B. upon him. Sworn, 5 : 6 : 1679.

W. Reeves and J. Cook testified concerning the color and marks on the horse.

Samuell Princ, aged about twenty-five years, testified that he saw this horse about the time it ran away from Josiah Sotherick, a year and a half ago, in the south field with a rope about his neck. Sworn, 5 : 6 : 1679.

Manaseth Marston, aged about thirty-four years, testified that this is the horse that Isack Woodbery of Beverly sold to Ezekiel Needham about two years ago. Sworn, 5 : 6 : 1679.

John Lewis, jr., aged about nineteen years, deposed that he saw Samuell Shaduck, jr., of Salem take a horse of a blackish brown color of Ezekiel Needham's out of his pasture, about a week since, etc. Sworn before Capt. Walker and Thomas Laughton,* commissioners of Lyn.

Copy of letter of attorney, dated July 4, 1678, given before Anthony Wright, notary public, dwelling in London, by George Wharton of London, brother and administrator of the estate of Edmond Wharton, late of Salem, to Samuell Shattock, sr., and Samuell Shattock, jr., dwelling in Salem. Wit: Henry Frogg, Lawrence Cresse and William Cranch. On July 5, 1678, Sir Frances Chaplin, Lord Mayor of London, the aldermen and senators also, certified that Anthony Wright was a legally appointed notary public, signed by Wagstaffe. Copy made by Hilliard Veren,* cleric.

Ezekiel Needham, aged about thirty-two years, deposed that when he bought the horse John Bulock affirmed that it was a colt of Robert Wilkes' mare, etc. Sworn, 5 : 6 : 1679.

William Trassk and Josiah Southwicke testified. Sworn, 5 : 6 : 1679.

John Lewis, sr., aged about forty years, deposed that when Needham took up the horse he was so wild that it was a fortnight before he could be ridden, etc. Sworn at Lyn, before Capt. Walker and Thomas Laughton,* commissioners.

Mr. Ralph Kinge, aged about forty years, and John Richards, aged about thirty years, testified. Sworn at Lyn, before Capt. Walker and Thomas Laughton,* commissioners.

Joseph Lord, aged about seventeen years, testified that his master Edward Wharton wintered the horse about three months, etc. Sworn, 5 : 6 : 1679.

William Reeves, aged about thirty-four years, deposed that he had several times seen Ezekiel Needom ride upon the horse. Sworn, 5 : 6 : 1679.

Edmond Bridges, aged about forty years, testified that Edward Wharton's horse was impressed by order of the committee of militia of Salem to go post with a letter to the Major Generall, and deponent rode part of the way. Jno. Richards of Lin told deponent, etc. Sworn, 5 : 6 : 1679.

John Cooke, aged about thirty years, testified that he had shod the horse for Edward Wharton several times and also trimmed him, etc. Sworn, 5 : 6 : 1679.

* Autograph.

John Richards, aged about thirty years, and Nickolas Huchins, aged about forty-two years, testified concerning the marks on the horse, etc. Sworn at Lyn, 30 : 4 : 1679, before Capt. Walker and Thomas Laughton,* commissioners.

John Richards, aged about thirty-five years, and Nicoles Hutchens, aged about forty-two years, deposed that the horse was Ezekiel's riding horse for over a year, etc. Sworn, 5 : 6 : 1679, before Wm. Hathorne,* assistant.

Writ: Robert Burges v. Samuell Hobbs; for neglecting and leaving his work from time to time, as he was engaged as partner with plaintiff to perform; dated 29 : 5 : 1679; signed by Hilliard Veren,* for the court, and clerk of the town of Salem; and served by James Poulon,* constable of Salem, by attachment of a chest and the Sunday clothes of said Hobbs in the chest.

Robert Burgis' bill of cost, 10s. 2d.

Hilliard Veren, jr., testified that Samuell Hobbs engaged with Robt. Burges to build a stack of chimneys and do other work for deponent in partnership, to be finished some months since. Now the work was nearly finished, without any help from Hobbs, etc. Sworn, 5 : 6 : 1679.

Writ: Mr. Richard Croade v. Samuell Hobbs; debt; dated July 29, 1679; signed by Hilliard Veren,* for the court and for the town of Salem; and served by James Powllen,* constable of Salem, by attachment of a chest and clothes of defendant.

Richard Croade's bill of cost, 15s. 10d.

Samuel (his mark) Hobbs owned, 29 : 5 : 1679, that he owed Richard Croade 47s. 2d. Wit: James Powllen,† constable. Sworn, 5 : 6 : 1679.

Executions, dated 7 : 6 : 1679, against Samuell Hobbs, to satisfy judgments granted Mr. Richard Croade and Robert Burgis at the Salem commissioners' court, 5 : 6 : 1679, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Warrant, dated July 18, 1679, for the appearance of Mrs. Ellener Hollingworth and her son William, signed by William Browne,* commissioner, and served by James Powllen,* constable of Salem.

Sammuell Prince, aged about twenty-five years, deposed that he was present when William Hollingworth and John Beckett, jr., had some words and that William had great provocation for what he said to Becket. Sworn, 5 : 6 : 1679.

Mrs. Hollingworth deposed that Samuell Graye and John Becket, jr., went from her house together, and shortly returned with his mouth bloody and much swollen, saying Gray had struck him, and she took a cloth to wipe away the blood. Sworn, 5 : 6 : 1679.

Walter Whitford, aged about fifty-one years, deposed that he being required by constable Sarles to part Samuell Gray and John Best from fighting, etc.

John Becket, jr., testified that when Sam. Gray struck him down in the lane, William Hollingworth stood by and deponent told him that as they were children together, before "I would have seen him so abused I would have died by him," to which William made answer that he loved to see men kill one another. Sworn, 5 : 6 : 1679.

Samuel Prince, aged about twenty-five years, deposed that he was in the house with John Becket when William Hollingwood came in and asked Becket what he meant by Hezekiah Dutch's bed. Becket said he never lay upon Dutch's bed in his life, and William shook his cane at him, saying if he would not fight him he would proclaim him a coward throughout the town, etc. William Bowdith, jr., testified the same. Sworn, 5 : 6 : 1679.

John Beckett, aged about fifty-three years, deposed. Sworn, 5 : 6 : 1679.

Elisabeth Deyser, aged about forty-eight years, deposed that she saw Samuell Gray fighting John Elwelles man before Goody Deyser's house.

Summons, dated Aug. 4, 1679, for the appearance of Walter Mungey and John Bly, as witnesses in a complaint against John Marey, for being dis-

* Autograph.

COURT HELD AT IPSWICH, SEPT. 30, 1679.

Edmond Ashbie v. Timothy Clarke. False imprisonment. Verdict for plaintiff.*

*Writ: Edmond Ashby v. Timothy Clarke, commander of the ship *Sea Venture*; for false imprisonment on May 23, last, in the goal of Boston and there detained until July 1; dated Boston, Sept. 10, 1679; signed by Nath. Barnes,† for the town of Boston; and served by Returne Waite,† marshal of Suffolk. Bond of Timothy Clarke.†

Edmond Ashby's bill of cost, 1li. 4s. 6d.

Joseph Elliott, aged about thirty-one years, deposed that he was in prison when Ashby was brought in and delivered to Mr. Earle, prison keeper. Ashby paid 50s. to Earl for bail and was at liberty to go about but was not discharged. He was obliged to report every time he came to town. Sworn, 11 : 7 : 1679, before S. Bradstreet,† Govr.

John Babson, aged eighteen years, deposed that Ashby was served the attachment by Henery Williams, and his imprisonment was a great hindrance to the improvement of his vessel. Sworn in court.

Issick Couzens, aged about sixty-seven years, testified that he was also a prisoner and heard Ashby tender the prison keeper a load of wood which he refused, etc. Sworn, Sept. 11, 1679, before John Joyliffe,† commissioner.

Letter to Mr. Lord, clerk of the Ipswich court: "Bostone Sep^t 12th 1679. This is onely to inclose a deposition to be made use of at yo^r next court at Ipswich taken by Isack Cozens before yo^r loueing freind John Joyliffe."

Copy of writ: Timothy Clarke, commander of the ship *Sea Venture* v. Edward Ashby; for refusing to pay 27s. from the wages of Thomas Babson, deceased, for satisfaction of the doctor of the *Indeavour*, Samuell Smith, commander, in the late voyage at Saltatudes, to do which said Ashby had received of the plaintiff the full wages of said Babson, deceased, whereby plaintiff was forced to pay said doctor because he had given his word to pay him out of said wages, and this was done because said docter at Tertudes refused to take the word of defendant; dated Boston, May 23, 1679; signed by Ephraim Turner, for the town of Boston; and served by

guised with drink, signed by Bartho. Gedney,† commissioner, and served by Peter Cheevers,† constable. Mungey was fined for contempt in not appearing.

Warrant, dated Aug. 4, 1679, for the appearance of John Marcy, for drunkenness, signed by Bartho. Gedney,† commissioner, and served by Peter Cheevers,† constable of Salem.

† Autograph.

Joseph Quilter, administrator of the estate of Marke Quilter, deceased v. Frances Quilter. Debt. Forfeiture of a bond. Verdict for plaintiff. Appealed to the next Court of Assistants. Frances Quilter bound, with Richard Shatswell and Robert Swan, as sureties.*

Henery Williams, deputy for Joseph Webb, marshal of Suffolk. Copy made by Robert Howard,† cleric for the Commissioners' court.

*Writ, dated June 23, 1679, signed by Robert Lord,† for the town of Ipswich, and served by Phillip Fowler,† deputy for Robert Lord,† marshal of Ipswich.

Joseph Quilter's bill of cost, 2li. 2s.

Francis Quilter's bill of cost.

Agreement, dated Nov. 11, 1678, between Joseph Quillter,† administrator of the estate of Marke Quilter, and Frances (her mark) Quilter, the widow of Marke Quillter, both of Ipswich, that Edward Lumis and Simon Stace should arbitrate their differences about a chest, bills and wearing clothes of deceased, also a musket, belt and rapier, saddle and saddle cloth, powder and bullets. Wit: Thomas Lovell† and Simon Stace.† Sworn, Sept. 1, 1679, by Lovell before Daniel Denison,† and by Stace, in court.

Award of the arbitrators, dated Nov. 12, 1678, Edward (his mark) Lumis and Simon Stace:† that the administrator should have the chest, bills, wearing clothes, musket, rapier, belts, bullets and powder belonging to the gun, saddle and saddle cloth, and should pay to the widow 10li., half in New England silver money and half in corn at the house of deceased. Sworn in court.

Joseph Quilter† acknowledged that he had received the goods that were in Marke Quilter's house and Frances (her mark) Quilter owned that she had her part and acquitted said Joseph of all that was awarded to her concerning the goods in the house. Wit: Edward (his mark) Lumis and Tho. Lovell.† Sworn, Sept. 1, 1679, by Lovell before Daniel Denison,† and by Lumis, in court.

At a General Court at Boston, May 28, 1679, in the case of Frances, widow of Marke Quilter of Ipswich, asking for a settlement of her husband's estate, court found that he died intestate and the pretended will presented to this court ought to be accounted null and void, the widow to have the whole estate during her life, and afterwards one-half to the relations of her deceased husband. Copy of record made by Edward Rawson,† secretary.

Frances Quilter's petition to the General Court: that her

† Autograph.

Robert Knight v. Onesipherus Allen. Appeal from a judgment of Maj. Gen. Daniel Dennison, Esq. Verdict for defendant.*

Robert Knight v. Samuel Leach. Appeal from a judgment of Maj. Gen. Daniel Denison. Verdict for defendant. Confirmation of the former judgment.†

husband died possessed of about 600li., of which a considerable part was money, and which was chiefly what said Frances brought to him as a portion given her by her father Richard Swan, the remainder what her husband had made during the twenty-three years that she had lived with him, they both denying themselves everything but necessities to accumulate the estate. Her husband had not made his will when he was in a condition to do so and the will was presented two days after his death to the Ipswich court by Joseph Quilter who was appointed administrator. She is now in her old age destitute of parents, husband or children and unless a settlement is made will of necessity come to the town for support, etc. Copy made by Edw. Rawson,‡ secretary.

*Copy of papers in a similar action, before Daniel Denison, of Salem, made Aug. 25, 1679, by Daniel Denison.‡

Writ: Onesiphorus Allen v. Robert Knight of Marblehead; for illegally taking away five or six cords of said Allen's wood; dated 30 : 4 : 1679; signed by Hilliard Veren, for the court; and served by Henry Skerry, marshal of Salem, who attached said Knight at Salem. Bond of Robert Knight.

On July 7, 1679, this action was tried before Daniel Denison, who gave judgment for plaintiff. Defendant appealed, with William Beale and Thomas Looke as sureties.

Onesiphorus Allen's bill of cost, 13s. 6d.

William Allen testified that the wood which his brother Onesiphorus Allen, etc. Sworn, July 7, 1679, before Daniel Denison.‡

Samuel Leach and Robert Leach deposed that at that time wood sold for 3s. 6d. per cord. Sworn, July 7, 1679, before Daniel Denison.‡

William Allen and Samuel Leach testified that the wood was cut by Onesiphorus Allen upon the commons of Manchester.

Robert Knight's‡ reasons of appeal, brought in to Daniel Denison,‡ Sept. 23, 1679.

‡Copy of papers in this action tried, June, 1679, at Salem court, made by Daniel Denison.‡

Copy made by Daniel Denison‡ of a similar action, tried July 17, 1679, before Daniel Denison, who gave judgment

‡ Autograph.

Mr. Thomas Baker v. Mr. Jeremiah Hobard. Slander. By advice of the court, Mr. Hobard acknowledged he had done him wrong and spoke without grounds or reason in court.

Martha Gilbert v. Hugh Babell and Susanna, his wife. Slander. Verdict for plaintiff. The defendant was ordered to make acknowledgment in court, which was done.*

for plaintiff. Appealed to the next Ipswich court, with William Beale and Thomas Looke, as sureties.

Robert Knight's† reasons of appeal, brought in to Daniel Denison,† Sept. 23, 1679.

Answer of Samuell Leach† and Onysipharus Alin† to Robert Knight's reasons of appeal.

John Sibly and Robert Leach deposed that the wood was cut by Samuel Leach on the commons of Manchester. Sworn, July 7, 1679, before Daniel Denison.†

Robert Leach deposed. Sworn, July 7, 1679, before Daniel Denison.†

Samuell Leach's bills of cost, 12s. and 1li. 6s. 6d.

John Knight, aged nineteen years, and Robert Knight, aged sixteen years, deposed that the last winter they were sent by their father Robert Knight of Marblehead to his farm called Kettle Cove for firewood about 40 rods from the waterside upon the neck which lieth on this side the marsh. Several parcels of wood were standing ready cut at the stumps, and they and two other men backed it down to the boat, etc. Sworn, July 5, 1679, before Moses Mavericke, commissioner. Copy made, Aug. 25, 1679, by Daniel Denison.†

John Sibly and Samuel Leach deposed. Sworn, July 7, 1679, before Daniel Denison.†

William Beale, aged about forty-nine years, deposed. Sworn, July 7, 1679, before Daniel Denison.†

John Abbott, aged twenty-seven years, deposed. Sworn, July 7, 1679, before Moses Maverick, commissioner.

Jenkin Williams and John Coy deposed that Robert Knight told them that he carried away Samuel Leach's wood that lay at the usual landing place at Kettle Cove. Sworn, July 7, 1679, before Daniel Denison.†

Thomas West and John Elithrop deposed that cord wood sold at 4s. 6d. per cord. Sworn, July 7, 1679, before Daniel Denison.†

*Writ: Martha Gilbert v. Hugh Babell and Susanah, his wife; slander, for saying that plaintiff stole a silk farendine gown on account of which she was in prison a fortnight; dated Sept. 19, 1679; signed by Robert Lord,† for the town of

† Autograph.

Joshua Ward v. Simon Bradstreet, Esq. Debt. Withdrawn.

John Poland v. Robert Lord, marshal. For not performing his office. Verdict for defendant.*

Samuell Pippen v. Benjamin Marshall. Appeal from a judgment of the Honored Major Genell. Denison. Verdict for plaintiff, reversing of the former judgment.†

Ipswich; and served by Robert Lord,‡ marshal of Ipswich. Bond of Hu Babell,‡ Benjamin Marshall‡ and Sam. Pearce.‡

Wm. Hoar deposed that in all the considerable time that Martha Gilbert lived with him as a servant, he found her very trusty and faithful.

Anna Marshall deposed that being in company with Susanna Babell at her father Crosses, she heard her say that Martha stole the gown. Elizabeth Smith testified to the same. Sworn in court.

Abigaile Bingley‡ testified that all the time Martha lived with her, she was trusty and honest. Sworn, Sept. 29, 1679, before S. Bradstreet,‡ Govr.

Letter of attorney, dated Sept. 27, 1679, given by Martha (her mark) Gilbert to Danil Wikum. Sworn, Sept. 27, 1679, before Daniel Denison.‡

*Writ: John Poland v. Thomas Patch; trespass, for throwing down a ditch that fenced his meadow, thereby claiming his land and laying his meadow common; dated June 16, 1679; signed by Daniell Denison;‡ and no return made.

Jon. Poland's bill of cost, 1li. 2d.

Thomas Patch, aged about forty-one years, deposed that there being an action at Salem court last June between deponent and Jno. Poland, and the original attachment not then appearing, he told John Poland that as he had a copy of the attachment, if he would give deponent 5s. the action should go on. Also that Richard Hutton, then constable of Wenham, served the attachment on deponent's goods, making return in his own name. Sworn in court.

William Knowlton, aged about thirty-six years, deposed that Robert Lord, marshal of Ipswich, said in his hearing at the last Salem court that Goodman Powland's attachment that he had served upon Thomas Patch of Wenham should be at the court or else he would procure him one. Sworn, 12 : 7 : 1679, before Edm. Batter,‡ commissioner.

Richard Hutten, sr., deposed. Sworn in court.

Thomas Knoulton deposed. Sworn, Sept. 20, 1679, before Daniel Denison.‡

†Copy of papers in an action tried before Daniel Denison, made Aug. 25, 1679, by Daniel Denison:‡

‡ Autograph.

Luke Perkins v. Robert Cooke. Non-performance of a covenant. Verdict for defendant.*

Writ: Benjamin Marshal, assignee of John Cogswel, the administrator of the estate of Samuel Cogswel, deceased; trespass; for carrying rail timber and cord wood from the farm that Samuel Cogswel leased to Samll. Pippen, which land could not be improved for corn; dated July 9, 1679; signed by Robert Lord, for the town of Ipswich; and served by Robert Lord,† marshal of Ipswich, by attachment of a small swine, a coverlet and defendant's clothes.

Court gave judgment for plaintiff. Appealed to the next county court, with Thomas Varney, Ephraim Fellowes and Jonathan Fanton, as sureties.

Benjamin Marshall's bill of cost, 1li. 17s. 8d.

Samuell Pippen's bill of cost, 1li. 5s. 6d.

Samuell Pippen's reasons of appeal, given in, Sept. 25, 1679, to Daniel Denison.†

Benjamin Marshall's answer to Samuell Pippin's reasons of appeal.

Joseph Marshal deposed that he helped Pippin carry 100 rails or rail timber. Sworn, July 17, 1679, before Daniel Denison.†

William Cogswel deposed that Pippen sold him 100 rails in 1679 which he hired Joseph Marshal to bring over the river and they were landed on his land. Sworn, July 17, 1679, before Daniel Denison.†

William Thompson, deposed that he cut down eight or nine rail trees and some post timber, which made about 100 rails and 30 posts; also three cords of wood were also cut, etc. Sworn, July 17, 1679, before Daniel Denison.†

Willm. Story, sr., and Thomas Low, sr., deposed concerning appraising the damage and Pippin's threats to Marshall. Sworn, July 17, 1679, before Daniel Denison.†

Henry Swett, aged about twenty-two years, deposed. Sworn, July 17, 1679, before Daniel Denison.†

William Thompson, aged thirty years, and Henry Swett deposed that some of this timber grew upon as good land as Pippin had already broken up. The rail timber was felled to make a five rail fence between Pippen's and deponent's. Sworn, July 17, 1679, before Daniel Denison.†

Willm. Andrewes testified. Sworn, July 17, 1679, before Daniel Denison.†

*Writ: Luke Perkins v. Robert Cooke of Boston, horn-breaker; non-performance of a covenant; dated Sept. 10, 1679; signed by Robert Lord,† for the court; and served by

† Autograph.

Henry Williams,* deputy for Rich. Wayte,* marshal of Suffolk. Bond of Robert Cooke,* with Nehemiah Perce* of Boston as surety.

John Brandall, hornbreaker, aged thirty years, testified that ivory comb-making and horn comb-making are two distinct trades, and that living several years with Robert Cook, he never heard that he made any small tooth combs but long tooth horn combs. Sworn, Sept. 29, 1679, before S. Bradstreet,* Govr.

Samuell Peppen, aged about thirty-two years, deposed that being at the house of Quartermaster Perkins when Luke Perkins and Mr. Cooke made the agreement, said Cooke agreed to clear him from the town of Boston that the townsmen should not hinder him. Also he said he would let him a chamber to dwell in while he was there the four months. Sworn in court.

Tommos Heill, aged about fifty years, testified that he had seen Robert Cooke make good "torkell shell" combs a great many times. Sworn, Sept. 3, 1679, before John Hull,* commissioner.

Joseph Hurd, aged about thirty-three years, deposed the same. Sworn, Sept. 3, 1679, before John Hull,* commissioner.

Joseph Hord, aged thirty-three years, deposed that being next neighbor to Robert Cook, when Perkins was there, the latter told him that he had learned to make better great tooth combs than Mr. Cooke. Having lived many years next Cooke, he never knew that he made combs with small teeth but that he always hired them made. Also that Perkins and his wife left Cook's house and lived in the house where formerly Nehemiah Perce dwelt and he never heard of anything the townsmen had against them before said Perce complained of them. Sworn, Sept. 29, 1679, before John Hull,* commissioner.

Elihu Wardal testified that he saw Luke Perkins making combs at Cook's house.

Nehemiah Perce, aged thirty-six years, deposed that he was much concerned to get Mrs. Perkins out of the town or to hinder them from keeping a house in our end of the town. But he never heard of any act requiring Luke Perkins himself to leave town or his work. Also that being for several years next neighbor to Cooke, etc. Perkins and his wife left said Cooke's house and lived in the house where deponent formerly lived, at which time there were two months' covenanted time due Mr. Cook, he having lived three months with Cook. Sworn, Sept. 29, 1679, before John Hull,* commissioner.

John Hollman, aged forty-three years, testified that he heard Mr. Luke Perkins tell Cook that if he would come to

* Autograph.

Mr. Francis Wainwright v. Wm. and Samuell Hilton.
Debt. Forfeiture of a bond.*

Ipswich he would work out the other two months. Thomas Hill, aged about fifty years, deposed the same. Sworn, 24 : 7 : 1679, before S. Bradstreet,† Govr.

John Fayerweather, aged about forty-five years, deposed that Mr. Cooke was called before the selectmen on account of entertaining servants without leave, and he said that he intended to be bound for him at first but he would not give entertainment to him any longer and would turn him out of his house. Theoph. Frary† testified to the same. Sworn at Boston, Sept. 3, 1679, before Elisha Hutchinson,† commissioner.

Thomas Hill and John Hollman deposed. Sworn, Sept. 27, 1679, before John Hull,† commissioner.

Indenture, dated Apr. 29, 1679, between Robert Cooke‡ of Boston, hornbreaker, and Luke Perkins‡ of Ipswich, in which said Cooke agreed to teach him the trade of combmaking within four months, for which he was to pay 20li. in one year, 10li. to be paid in a still upon his arrival in Boston, which, if it could not be disposed of at that price and he was forced to keep it, he was to allow Perkins 40s. in silver for it; after Perkins had learned the trade he was not to teach it to anybody except his own children upon forfeiture of 40li. sterling; Cooke was to supply him with one set of tools for which he was to pay. Wit: John Barry† and Robert Lord,† marshal. This agreement was to be kept in the hands of George Persen.

*Writ: Francis Wainwright v. William Hilton and Samuel Hilton; debt due upon forfeiture of a bond; dated 13 : 7 : 1679; signed by Daniel Denison‡; and served by Robert Lord,† marshal of Ipswich.

"Mr William and Samuell Hillton These may informe you that I haue now sent m^r Crose his sloop for his ladeing of boards I am now at the Isles of the Sholes & therefore haue not sent you the remainder of the pay that will be due, besyds what you owe me, therefore pray you lade him and send me a line or two what you would haue I have a speshall good barrell of porrke & corne wheat malt & Indian, and doe oblige heerby to pay you the rest p the first oportunity in the River of Pascataqua wher you shall apoynt mee thus not feareing you will faile me but that you have kept the boards for me acording to your manifest promise I doe remaine your loveing freind to use Francis Wainwright. Star Iland 17 July 1678." Copy made by Robert Lord,† cleric.

"Mr Frances Wainwright these may informe you that on the 25 of July 1678, then John Lee & Steeven Crose were at my house with there vessell and demanded boards of me

† Autograph.

‡ Autograph and seal.

Ezekiell Woodward v. John Poland. Defamation. Verdict for plaintiff. The defendant was ordered to make acknowledgment.*

according to this order but I have not any boards for to shipp on board for you and therefore I desire your patience & forbearance a little longer, and doe hereby promise you that the first boards my mill cutts or any other mill where I can procure them you shall have what is due from me to you, better I cannot doe pray do not take advantage ags^t me, and in soe forbearing you will oblige your freind & servant." William (his mark) Hilton. Wit: Richard Hillton and John Lee. Sworn in court.

Bond, dated Dec. 14, 1676, given by William (his mark) Hilton§ and Sam. Hilton,† both of Exeter, to Francis Wainwright, for 20,000 feet of pine boards, part at a landing place in Exeter and part at Lampre river. Wit: John Wainwright† and Samuells Plats.† Sworn in court.

*Writ: Eseekell Wooderd v. John Polland; defamation, for slandering him and his wife; dated June 20, 1679; signed by Robert Lord,† for the court; and served by Robert Lord,† marshal of Ipswich.

Robert Lord, aged about forty-seven years, deposed that Jon. Polland being at deponent's house this summer, he asked Polland how deponent's uncle Woodward and his new wife did. Polland answered that she had a poor bargain with him and she repented of it. Polland also "said that hir Brother knowlton sayd to me y^t shee came To him slauberling & crying & sayd y^t she was undonne by maring woodword: & That shee was very much Troubled That she had wronged me: y^t is poland & That she was not able To see me but wattered hir plants at The meetting at the very sight of me & did gratefully bemone hurself That shee should offer so much wrong To polend & That I derst not goe To The meetting at wenhem for every Time she see mee she is nott able to bare it but is ready for To swound away." Sworn in court.

Richard Brabroke, aged about sixty-seven years, deposed that when Poland came into his house he said "I heard you have Lost your widow," and he replied that she ran after Eseekall Wooder at Wennam and he did not deserve her. Also, that all the widow Piper's friends wondered that she left said Poland, etc. Sworn in court.

Thomas Hobbs, aged about fifty-five years, deposed concerning what Poland told him about the widow Piper, etc. Sworn in court.

Benjamin Edmands and his sister Bethiah Knolton deposed

† Autograph.

‡ Autograph and seal.

§ Seal.

Samuell Pearce v. Steephen Hascot. Breach of promise. Verdict for plaintiff.*

George White acknowledged judgment to Deacon Goodhue, in money, wheat, malt and pork.

John Poland made open confession in court that he had done wrong to the widow Piper, now the wife of Ezekieil Woodward, in speaking the words to which the witnesses testified, and was sorry for it, desiring the court and them to forgive him.

Nicolas Noyes, Anthony Morse, Thomas Browne, Robert

concerning what Poland told them at John Knolton's house relating to the widow Piper's actions. Sworn in court.

*Writ: Samuell Pearse v. Steephen Hascut; for not paying for fourteen days' demurrage of his ketch, himself and men at Dammaris Cove in June, 1674; dated Sept. 25, 1679; signed by Robert Lord,† for the court; and served by Henry Skerry,† marshal of Salem, by attachment of house and land of defendant.

Samuell Pearce's bill of cost, 1li. 14s. 8d.

Steven Cooke, aged about thirty-two years, and Hugh Babell, aged about thirty-one years, deposed that vessels of 25 tons, manned by three men, were in this country generally let by the month for 15li. They had been owners and had let their vessels at that price. Sworn in court.

Agreement, dated May 7, 1674, between Stephen Haskott† and Sam. Pearce, that the latter was to fetch a freight or two of fish from Dambrell's Cove and Hippocris and Haskott was to put aboard 300 quintals of fish at each load, at 1s. per quintal for freight, to be paid in merchantable or refuse fish, according to the load; he agreed to load the ketch in five fish days and to unload her in two fair fish days, and to have the fish in the ketch when she comes to the stage head; what goods Hascut carried should be freight free; the fish was to be paid at each voyage's end at Salem; Pearce was to sail on May 11, wind and weather favorable. Wit: Roger Derby† and Samuel Taylor.† Sworn to by Philip Fowler and Roger Derby in court.

Thomas Frasee, aged about thirty-three years, and Jno. Pearce, aged twenty-two years, deposed that they sailed on the ketch and they waited at Damerell's Cove the number of days as agreed upon, but the fish not being loaded, Hascut asked Pearce to wait and he would satisfy him for the extra time, and it was fourteen or fifteen days before they sailed into Salem. Sworn in court.

† Autograph.

Coker, Jo. Poore, sr., Wm. Chandler, Wm. Ilsly, Henry Jaquis, Wm. Randall and William Pillsbury, all of Newbury, were discharged from ordinary training, each paying one bushel of Indian corn yearly.

Thomas Judkin had his license renewed for a year, also his license for liquors.

Merchant Wainwright had his license renewed for a year.

Deacon Goodhue had his license renewed for a year.

Daniell Clarke had his license renewed for a year.

Mr. Mighill Farley was licensed to sell liquors by the gallon or quart for a year.

Benedict Pulcifer and his wife, convicted of receiving stolen goods which were taken by his son John Pulsipher from Mr. Francis Wainwright's, were ordered to pay treble damages to Mr. Wainwright. John was to be severely whipped.*

*The examination and confession of John (his mark) Pulcifer, taken May 16, 1679, before Daniel Denison:† that he lived with Mr. Francis Wainwright the last winter and his father and mother told him that they wanted wheat which he might help them to, whereupon he carried to them about half a bushel of wheat which he took from Mr. Wainwright's chamber and delivered it to his father at his own house. His mother made a cake and gave him. Later he took a bushel of wheat and they asking him for pork, he took two large pieces five or six times, from his master's warehouse, and cut out a small hog, half a bushel of salt, two bundles of candles, about 5li. sugar at two times in a handkerchief, also three or four times he carried three or four hogsleaves at a time, all of which his father and mother received.

Examination of Benedict Pulcifer and Susanna, his wife, taken before Daniel Denison:† that Mr. Wainwright asked them to give their son good counsel not to take anything from him. She confessed that he had brought her goods and she was suspicious and wished to send them back to Mr. Wainwright, but did not for fear of making trouble.

Mr. Wainwright was bound, May 16, 1679, to prosecute the complaint, and John Pulcifer and Francis Young were bound for said Pulcifer's appearance at the next Salem court.

Benedict Pulcifer and Samll. Moses were bound for the appearance of said Pulcifer and his wife at the next Salem court.

This action was referred to Ipswich court in Sept., on petition of the parties concerned, and acknowledged, June 23, 1679, before Daniel Denison.†

† Autograph.

Phillip Parsons appearing, and no one accusing him, he was cleared.

Wm. Hodgkins, for excessive drinking, was fined.

Dinah Marshall, for fornication before marriage, was fined.

Sarah Short, for fornication, was fined.*

Hannah Adams, for fornication, was ordered to be severely whipped, unless she pay a fine.

John Barry and his wife, for fornication before marriage, were fined.†

Phillip Fowler dying intestate, administration upon his estate was granted to his grandchild, Philip Fowler.

Whereas administration was formerly granted to Nath. Tredwell and Jo. Warner of the estate of Henry Bachelour, court now adds John Bachelour of Wenham to administer with them.‡

*Sarah Short and Joseph Mayhu were presented for fornication before marriage.

†His wife was Rebecca.

‡An account made by Nathaniell Tredwell,§ John Warner§ and John Batcheler§ of debts due from Henry Batcheller's estate: to Mister Tredwell, —; Mistriss Mary Tredwell, —; Mistress Tredwell, 1li. 19s. 3d.; to Mistriss Tredwell, 9li. 7s.; to Thomas Tredwell, 1li.; to John Batchelder, 3li. 3s.; to Abraham Foster, 1li. 6s.; to Medcalfe, 6s.; to Cristofer Boules, 4s.; to Marthy Perey, 2s. 6d.; to Samuell Perly, 1s. 6d.; to Samuell Houlett, 2s. 3d.; to Gorge Hadly, 3s.; to Edward Werling, 6s. 6d.; to John Warner, 12s. 3d.; to Nathaniell Tredwell, 5li. 17s.; to Marchant Waindright, 12s.; to William Smith, 7s.; to Mistress Willsonn, 3s.; total, 42li. 2s. 3d. To be deducted from the inventory: ten shep that died and were killed by wolves, 2li. 10s.; to swine lost, 15s.; lost 4 bushels of corn, 12s.; lost by meat, 12s.; total, 4li. 9s.

John Warner's§ account of what he had done for Henery Batcheler: for fouer jagges of hay in 1673, 2li.; received in part pay, 8s.; for carying bricks & clay for an oven, 4s.; for carying him a Load of bords from maning Neck and helpping him to halfe an hundred, 9s.; one Bushell of Indian corne in 75, 3s.; caring two Jagges of hay in 77 & 78, 6s.; total, 2li. 14s. For tending him in his sickness from Jan. 23 to Feb. 5, in which I made it a great Part of my employment boath Night & day to tend him & get such things for him as hee desired: clothing at Decon Goodhew's, 3li. 1s. 3d.; blew

§ Autograph.

Abell Pilsbury and his wife, for fornication before marriage, were ordered to be whipped unless they paid a fine.

In answer to a petition of James Burnam, court appointed Simon Stace, Thomas Lovell and Edward Bragg to make a division between said Burnam and Mr. Samuëll Rogers of that island of upland and marsh which was sometime Edward Chapman's, that each man may know his own.

William Fanning, for very great offences, was ordered to be severely whipped or pay a fine.

John Baker, presented for great offences in threatening children and others that he would kill them, and other opprobrious speeches and bad language, was committed to prison for one week, and was to remain until his fine of 4li. was paid. He was also bound to good behavior.*

Upon complaint of Simon Stace and Joseph Quilter against Frances Quilter, Thomas Lovell, Dorithy Woodman and Ann Pegy, court admonished and fined them.†

Linen, 2s.; one Handkercher, thread & macking cloath, 7s.; ten Pound of suger & too Pound of Buter, 6s. 6d.; halfe a Pound of hony & on quart of wine, 1s. 9d.; three gallons of beere & halfe a bushell of wheat, 4s. 6d.; halfe a bushell of ry, 2s.; total, 4li. 5s. 2d.

John Bachelour's account of what he had expended for Heneri Batcheler: too dais while he was seke, 4s.; one dai in preparing for his burial, 2s. 6d.; one dai spent about the prizing the estat, 2s.; makin her wascoat, 2s. 6d.; one dai bringing the shep to John Warner's, 2s.; one dai in bringing the corne to John Warner with mi horse, 3s.; one dai miself and son in bringin the shep, from John Warner's to mi house 4s. 9d.; half a dai in caring things to her at Mr. Tredwel's, 1s. 3d.; 3 dais and a half mi self and mi son to brin the catel awai, 10s. 9d.; too pounds of hopts, 1s. 6d.; too pound of buter, 1s.; thre pound of seuger, 1s. 5d.; one groat lost, 4d.; for keping ten shep 8 weks, 1li.; for keping a kowe 3 weks, 3s.

*Presented for speaking opprobrious words to Mrs. Mary Hubbard. Wit: Thomas Knowlton, jr., Lydia Burnum and Abigail Whiler.

†Simon Stace† and Joseph Quilter† certified that Frances Quilter, relict of Marke Quilter, carried into the General Court at Boston last May a petition containing false statements by Thomas Lovell, sr., Dorothy Woodman and Ann Pegy.

† Autograph.

Marke Quilter's inventory given into court by Joseph Quilter was 387li. 15s. 9d., according to Robert Lord,* cleric.

Copy of papers in an action tried in Ipswich court, Nov. 6, 1678, made by Robert Lord,* cleric:

Dorothy Woodman, aged forty-three years, deposed that being several times with her brother-in-law Marke Quilter in his sickness, both his wife and deponent wished him to make his will while he was able, but he would not. He was a dying man for three or four days before his decease, and that morning he called for his brother Joseph and said he wished to buy a bushel of apples. He also asked for Goodman Warner and Goodman Stace, and his wife asked him which of the Warners. He said he "could not tell, she sayd to him againe doe you not mistake you'self doe you not meane Goodman Lumocks that prayed wth you last night he sayd I I so Joseph and they were sent for and they Came and when Joseph came he bid him fetch his money and Joseph Asked him where is it Joseph went out in to the barne and when he came back Againe he told him he could not finde it he said to his Brother goe goe It is there where I told you you cannot misse of it for your life and Joseph said he found it and went away and Came no more to him, Goodman Lumocks & Goodman Stace were there while Joseph was looking for the money, and he declared to them how he would make his will and the morning after he dyed Goodman Lumocks came to my sister and I: and told us what his will was how that he had given his wife halfe the stock and halfe this yeares Crop and all the movveables and the house and land during hir life and hir portion to be at hir dispose and they asked him who should have the house and land after his wife's decease he told them he would leave it in their hands to dispose of it to those of his owne relations that they saw had most need of it then they Asked him what Joseph should have to pay the legaties with he said Joseph should have his chest and wearing Apparell and two or three bills that would be worth three score pounds that would be enough for Joseph and my sister said she wondered that he gave the child no more that he had brought up. Goodman Lumocks said Alass he was to faint & weake that they could not understand one word of many that he spake he could not utter his words and they were to come in the afternoone to finish his will. Goodman Lumocks said he was not sattisfied he thought he had not done enough for his wife and he thought to have talked with him againe about it but he died that day about noone before they came to finish the will." When the will was given in to court her sister understood that the chest, etc. were not mentioned to be given to Joseph and so claimed them for herself, where-

* Autograph.

upon the Major advised her to settle with Joseph because it was a nuncupative will and it would be for her interest to do so. Sworn, May 22, 1679, before Jo. Woodbridge, commissioner. Copy made by Edward Rawson,* secretary.

Thomas Lovell deposed that Quilter died on the second day of the week and was buried on the third; on the fourth day Joseph Quilter made the inventory, the fifth day Symon Stace wrote the will and proved it unbeknown to the widow; and Joseph was so hasty about it that Symon had hardly time to write it. Further that Quilter was so weak that he could hardly speak when they were called. After Quilter's death, Lumocks, Stace and Quilter went to her house with a bond and the widow and Joseph Quilter signed it. Deponent testified that the poor widow was much wronged by having them come upon her so suddenly, and by Joseph taking things into his own hands. Sworn, June 2, 1679, before Jo. Woodbridge, commissioner. Copy made by Edw. Rawson,* secretary.

Ann Pegey deposed that she lived with Marke Quilter when he was sick, and Dr. Bennet was there and said he would not give him anything for he would be dead before the ebb of the next high water. After he died Lumocks, Stace and Joseph Quilter came and told the widow that they had the Major General, Capt. Apleton and Capt. Whipple on their side, and it would be folly for her to withstand them. The widow being so full of trouble and there being nobody there to give her advice signed a paper that she did not understand. Sworn, June 2, 1679, before Jo. Woodbridge, commissioner. Copy made by Edw. Rawson,* secretary.

Copy of Frances Quilter's petition, May 28, 1679, to the General Court, made by Robert Lord,* cleric.

Mary Shaffel, aged about forty-six years, deposed that she went to Marke Quilter's house the day he died about the time the foot company went into the field in the forenoon and tarried until he died which was about one hour before sunset. Joseph had gone to Mr. Rogers' but was with him when he died. Sworn, Sept. 25, 1679, before Daniel Denison.*

Simon Stace, aged about forty-two years, and Joseph Quilter, aged about thirty years, deposed. Sworn in court.

John Edwards, aged about fifty years, deposed that he was with Goodman Quilter the morning before he died, etc. Sworn, Sept. 24, 1679, before Daniel Denison.*

Thamar Quilter, aged about sixty-seven years, deposed that she was mother-in-law to said Marke and a short time before he married Frances Swan, he came home disappointed that he had not received more from her father in prospect of their marriage. So deponent went to said Swan to desire

* Autograph.

something of him for the young beginners. He answered that he had been advised to keep his estate in his own hands as long as he lived, and as they were young and lusty, they could work to get themselves necessities. Deponent's son told her that he had to buy her convenient things to marry in, for her father refused to buy her anything. She was married in very mean clothes, and as an excuse for not giving her more, Swan said that Marke had already considerable to begin the world with. Sworn, Sept. 25, 1679, before Daniel Denison.*

Thomas Wilson, aged about forty-five years, deposed that he came to his sister Frances Quilter's house, and his sister asked him to go to the court and get Daniell Wicom, but when he reached there it was too late for the will was proved. Sworn, 2 : 8 : 1679, before Wm. Hathorne,* assistant.

Margaret Lambord, aged about forty years, deposed that Marke Quilter wintered a cow for her about nine or ten years ago, and going there to milk her, Goodman Quilter being away, she saw Goodwife Seathell and her children threshing out his corn. They carried away three or four bushels at a time in sacks, and someone was watching to see if he came home. Sworn, July 12, 1679, before Daniel Denison.*

Caleb Kimball, aged about forty years, deposed that dwelling next door to Marke Quilter, he saw Goodwife Quilter and some of the Scathwells beat out corn, burn the cobs, etc. It was well known to all who lived near Quilter that he provided well for his family and kept as good a house as most men, and he told deponent that he had but one cow with his wife for a marriage portion. Sworn in court.

John Browne, aged about forty-two years, deposed that he watched with Marke Quilter the night before he died and he seemed as rational as ever, etc. Sworn, Sept. 28, 1679, before Daniel Denison.*

Edward Lumis and Simon Stace deposed. Sworn, July 1, 1679, before Daniel Denison.*

John Wattson, aged about thirty-five years, deposed that the widow told him that her husband had given his brother Joseph money that was hidden in the thatch of the barn and the thatch of the house. Sworn in court.

Abigall Leeds, widow, aged thirty-five years, deposed that dwelling in the house of Marke Quilter a year in 1671 or 72, and being their next neighbor six years, she never saw them want for meal, malt or meat. Deponent had had meal and meat of her for work she did for her, several bushels of corn for spinning and for sugar and spice which her husband was not inclined to buy. Sworn, July 12, 1679, before Daniel Denison.*

Philip Fowler, aged about thirty-two years, deposed that

* Autograph.

Erasmus James had his license renewed for a year to sell out of doors.

There being a bond of 10li. of Henry Short's returned from Salem court for the appearance of Joseph Mayo at this court, and it being said that Mayo was at sea, court ordered that the bond be again returned to Salem court.

Reckoned with the Treasurer, Sept. 29, 1679, and the county is indebted 55li. 2s. 9d.

Given to the house, 8s.

Whereas John Wright, late of Nubury, deceased, died at sea intestate, and administration having been granted to Edward Bragg, who brought in an inventory of 40li., 20li. of which had been used to pay debts, and John Wright, son of deceased, now appearing, and demanding the estate, court ordered that said Bragg be discharged and said Wright be appointed administrator.

he was in the court chamber when the will was proved, etc. Sworn, Sept. 25, 1679, before Daniel Denison.†

Samuel Smith, aged twenty-eight years, deposed that he had lived near Mark Quilter for twenty years, and they had as good living as in any house of their rank and the woman was always well clothed. Sworn in court.

Robert Lord, marshal, aged about forty-seven years, deposed. Sworn, Sept. 25, 1679, before Daniel Denison.†

Goodwife Bosworth, aged about sixty years, deposed that she was present when Quilter died, etc. Sworn, Sept. 25, 1679, before Daniel Denison.†

Aron Pengre, aged about twenty-six years, deposed that he watched with Quilter, etc. Sworn, Sept. 24, 1679, before Daniel Denison.†

John Dane, sr.,† aged sixty-six years, testified on June 4, 1679, that he was frequently at Quilter's house for twelve weeks curing his "shot leg." They had plenty of good food, beer and cider and deponent "lookt one him singler aboue many and thought because he had but a letle fameley he loued to spend it one thare carkises." Sworn, Sept. 25, 1679, before Daniel Denison.†

Nathaniell Chapman, aged about twenty-six years, deposed that he lived with Quilter four months, and he went to the door to see him, but deponent's mother met him at the door and told him that Quilter was dying. Sworn in court.

*Copy of inventory‡ of John Wright's estate, made Jan. 2, 1673, by Robert Lord,† cleric.

† Autograph.

‡ Original on file in the Registry of Probate.

Record of administration of estate of John Wright of Newbury, 30 : 10 : 1658. Copy made Nov. 23, 1673, by Robert Lord,* cleric.

Edward Bragg* and Robert (his mark) Starkwether, both of Epswedg, acknowledged judgment, Apr. 7, 1674, to David Richards of Roxbry, of 14li. 14s., part in pork, to be delivered at the water side at Boston to William Park of Roxbry. Wit: William Parke,* Isaac Johnson* and Robert Pepper.* David (his mark) Richards' receipt to Robert Starkwether and Robert Pepper. William Park's* receipt, dated June 17, 1675, to John Writ of Boston on account of Edward Bradg.

Fines brought into court sitting at Ipswich, Sept. 30, 1679, by Jo. Woodbridge,* commissioner: Wm. Mora; Wm. Damford, for drinking and striking; Mr. Wm. Longfellow, for fighting.

Petition of William Benit, Thomas West and Samuell Leach, selectmen of Manchester, Sept. 29, 1679, to Ipswich court: that Thomas Chick, with his wife and three children, had come into town to settle, "but wee findeing him to be in a poare condision not haueing wherewith to suply the present nesesity of himselfe and his family neither for food nor Raiment and therefore wee canot see but in al probabillity if the s^d Chick shoold setell in our town he will quickly be chargable to us and wee our selvs being unable to contribute to such a condision in regard of our own inabiliti and the smallnes of our town and acomadations wee therefore according to law for the prevention of such charge coming upon us haue indeaured to remoue the s^d chick by giueing him due notic and leagall warning to remoue out of our town and other wise to provide for himselfe but the s^d Chick haue refused to take any notic of such warning saying he will not troble himselfe to remoue out of the s^d town." He had often affirmed that he had three acres of land at Netchuwauck or thereabouts besides some other considerable estate in his father-in-law's hands.

Court ordered that said Chick be sent to New Chewauake, and they at that place were ordered to receive him.

List of presentments, dated Oct. 1, 1679, signed by Moses Pengry, sr.,* in the name of the grand jury:

John Sandy and Elizabeth Peters, for marrying, without being published, on Nov. 25, 1678, but one day before he was to be married to Mary Starkwether to whom he had been legally published.

John Sandy, for breach of the peace in striking John Gamage with a stick in the street and causing a great tumult. Wit: John Gamage, Thomas Lull, jr., and Mary Buckly.

Quartermaster Perkins, for disorder in his house at night,

* Autograph.

COURT HELD AT SALISBURY, NOV. 11, 1679.

The Worshipful Nathl. Saltonstall, Esq., president; Major Robt. Pike, Capt. Tho. Bradbury, Mr. Samll. Dalton and Capt. Jno. Gillman, associates.

Grand jury: Abraham Perkins, foreman, Phillip Challis, Theophilus Dudley, Jno. Dickkison, sr., Samll. Felloes, sr., Joseph French, sr., Nathl. Brown, Andrew Grele, Steven Dow, Anthony Stanian, Anthony Tayler and Tho. Lovit.

Jury of trials: Henry Roby, foreman, William Osgood, sr., Samuell Foot, Byly Dudly, Edward Gillman, John Eaton, sr., Richard Hubbard, William Allen, jr., James Davis, Henry Kinsbery, John Redman, sr., and Benjamin Fifeild. John Weed, sr., and James Carr, in Haverhill case against Swan.

Major Robert Pike v. Mr. William Hooke. Trespass. For coming upon said Pike's meadow, called Hoghouse meadow near the hoghouse some time in Sept., 1678, by interrupting and disturbing Pike's mowers in a violent way, claiming the meadow as his own. Verdict for plaintiff. Appealed to the next Court of Assistants. Mr. Hooke, Phillip Grele and Robert Downer bound.

Isaac Green appealed from a judgment of Mr. Samll. Dalton on July 9, 1679 in an action brought by him against Isaac Perkins about hunting and frightening a swine.

Isaac Greene appealed from a judgment of Mr. Samll. Dalton on July 9, 1679, about telling two lies. The jury found that he did tell a lie and for the heinousness of it, they left it to the judgment of the court. Court being convinced

caused by strange men walking and talking and two maids supposed to be Phebe Newmarch and Susanah Hill of Ipswich. Wit: John Gamage, John Shatswell, Jonathan Lumas and Aron Pengry, jr.

Roger Darby and his wife, for totally exempting themselves from the public ordinances.

Mr. John Woodbridge, for celebrating marriage between John Sandy and Elizabeth Peeters, who were not legally published. Wit: Symond Tuttell, Andrew Peeters and Nathaniell Chapman.

John Atkinson affirmed that he was present when Mr. Woodbridge married them and the latter asked if they were published according to law, and Simon Tuttle and others said they were. Sworn in court.

that he might be surprised with fear of being drawn in to speak to his own disadvantage, and not judging his words to be pernicious or willful, ordered that he be admonished and pay costs.

Mr. Wm. Hooke v. Major Robert Pike. Trespass. For

From Samuel Dalton's Commissioners Records. See *ante*, vol. 5, p. 235.

On June 28, 1679, Nathaniel Ware v. Steven Flanders, jr., Phillip Flanders and John Flanders; for stealing 1,100 red oak hogshead staves out of his pasture in Hampton bounds, on June 18, 1679; judgment for plaintiff, he to enjoy his staves which were seized by the constable of Salisbury at the landing place by Mr. Mudgett's ship, and said Steven was admonished for joining with his brothers and the others were fined.

On July 9, 1679, Isaac Perkins v. Isaac Green; trespass; for his dog hunting and fearing a swine so that it never returned home again; judgment for plaintiff. Appealed to the next County Court at Hampton.

On July 9, 1679, Jacob Perkins complained against Isaac Greene for lying at the hearing, and court found him guilty of deceit in taking money for a cow or calf, which he owned to Ebeneazor Perkins and Joseph Perkins on May 21. and on the following day denied before Thomas Philbrick, Edward Gove and Joseph Dow that he received any money. Said Greene was fined and he appealed to the next Hampton court. Court appointed Sergt. Tho. Philbrick to appear for the county.

On Aug. 4, 1679, Nicolas Morriell and Margritt Langdon, both of Portsmouth, were married.

On Aug. 5, 1679, Thomas Thurton and David Wedgwood, being accused of quarrelling and fighting, were fined.

On 14 : 6 : 1679, Samuel Rand and Mary Walton, both of Portsmouth, were married.

On 26 : 7 : 1679, Robert Hinkson and Sarah Bruster, both of Portsmouth, were married.

Thomas Eaton of Salisbury and Hannah Hubbard were married on 14 : 9 : 1679.

Samuell Gatchel, jr., and Elizabeth Jones of Amesbury were married on 27 : 9 : 1679.

On 24 : 9 : 1679, Thomas Dearborn was sworn constable of Hampton.

On Mar. 10, 1679-80, Thomas Clough and Hannah Guile, both of Salisbury, were married.

On Mar. 15, 1679-80, Israell Clifford and Ann Smith, both of Hampton, were married.

On May 24, 1680, David Robinson and Sarah Taylor, both of Exeter, were married.

On June 21, 1680, William Lane of Boston and Sarah Webster of Hampton were married.

On 21 : 5 : 1680, Richard Long and Anna French, both of Salisbury, were married.

On 27 : 6 : 1680, Richard Pearce of Boston and Sarah Cotton of Hampton were married.

On 22 : 9 : 1680, William Fuller, jr., and Susanna Buswel, both of Hampton, were married.

On 30 : 9 : 1680, John Foulsham, jr. v. Hannah Foulsham, wife of Nathaniel; for slanderously reporting Abigaill, wife of John Folsham, jr.; judgment that Hanah should publish or publicly own this acknowledgment, "that I hanna folsham have accused my sister Abigail Folsham, for stealing meatt and other things from mee and ten shillings in Monie from peter folsham. I Doe now owne y^t I have Done her wrong and am heartily sorrie for itt and shall labour to make satisfaction." John Folsham, jr., was allowed costs for going to Hingham for evidence, etc.

coming upon his land, pulling up his fence, mowing his meadow and disturbing him in a violent way, claiming the meadow to be his. Withdrawn.

Leift. George Brown and Daniell Ela, attorney to the town of Haverhill v. Robert Swan. For enclosing a town highway on the northward of his now dwelling house, four rods broad, commonly called Bartholomew Heath's way, running from Henry Palmer's on the northward of the lots to the west bridge, thereby hindering the town from the use of it. Verdict for plaintiff. Appealed to the next Court of Assistants. Robert Swan of Haverhill bound, with Tho. Johnson of Andover as surety.

Danll. Ela v. Jno. Griffyn. Debt. In hops and neat cattle. Withdrawn.

Danll. Ela v. Samll. Watts. Non-payment of 5li. Withdrawn.

Danll. Ela v. Danll. Preston. Review of a case tried in Hampton court in 1674. For taking away two thousand feet of deal board at the landing place at Haverhill, called Jno. Haseltine's. Verdict for defendant.

Nehemiah Partridg, in an appeal from a judgment of Mr. Samll. Dalton on Aug. 26, 1679, in which he was defendant and Jno. Redman, jr., plaintiff, about wintering a horse. Verdict for plaintiff, the reversion of the former judgment. Appealed to the next Court of Assistants. John Redman, jr., and his father John Redman bound.

Tho. Fowler v. Jno. Weed, in behalf of the town of Amsbery. For withholding several portions of land in the common divisions of land laid out to the inhabitants of Salisbury new town, now called Amsbery, since a meeting of the town on 10 : 10 : 1660, at which meeting there was granted to Joseph Peasly, sr., a township for his son, which township said Fowler bought of Peasly's son, Joseph Peasly, by deed. Withdrawn.

Samll. Felloes, jr. v. Abraham Brown. Review of a case tried at Salisbury court in 1679 concerning breach of a bond of arbitration, Jno. Clough and Ephraim Winsly being arbitrators. Verdict for defendant. Appealed to the next Court of Assistants.

Joseph Peasly, assignee of Peter Green v. Charles Runlett. Debt. For 3,000 feet of white pine boards to be delivered at

a convenient landing place at Exiter river. Verdict for plaintiff.

Danll. Tilton v. Mr. Jno. Groth. Debt. In pine boards, hogshead or barrel staves. Defendant acknowledged judgment to plaintiff.

Isaac Morrill v. Mr. Jno. Groth. Debt. Defendant acknowledged judgment to plaintiff.

Robert Downer v. John Hendrick. Review of a case tried at Hampton court on Oct. 9, 1677, for not paying 3li. for work done for him three or four years since when he was framing or building a house for Hugh Marsh. Verdict for plaintiff.

Robt. Downer v. Mr. Stockman. For withholding a debt of 7li. due for building a barn. Withdrawn.

Robert Downer v. Mr. Stockman. For not satisfying him for work done in 1678, felling timber, hewing and framing the same, and setting up a house or room for him adjoining his former dwelling house about 25 feet in length and 20 feet in breadth, with other finishing work done to said room or house or cellar under it, also for cutting passages from one room to another. Withdrawn.

Robt. Downer v. Mr. Stockman. Battery. For striking him several blows at his own house, to the danger of the loss of one of his eyes, railing against him and challenging him out of his house, both in loss of time and suffering great pains. Withdrawn.

Mrs. Sarah Stockman, attorney to her husband, Mr. Jno. Stockman v. Robt. Downer. For not performing a covenant about building and finishing a barn. Two actions. Withdrawn.

Capt. Tho. Bradbury v. Jno. Allin. For withholding a debt due upon bond. Verdict for plaintiff.

William Hasket v. Nicolas Page of Boston, merchant. For withholding pay due for about eighteen weeks' work in rigging and attending about a ship of his which was built at Haverhill last year, and about six weeks' work done for him by his son, at the rate of 16s. per week for himself and five shillings per week for his son. Withdrawn.

Samll. Levitt v. Jno. Clark. For withholding a debt due plaintiff for a fat ox sold to him about two years ago for 7li. 5s. in boards or staves. Verdict for plaintiff.

James Smith v. Moses Gillman. For not delivering 7,000 feet of pine boards at Exiter. Withdrawn.

John Allin v. Richard Currier. For withholding a debt due him in white oak plank. Verdict for plaintiff.

Leift. Ralph Hall v. Steven Cross. For not paying 20 bushels of Indian corn due for not bringing a true copy of a discharge of 20 bushels of Indian corn from Capt. Walter Barefoot, which corn was in controversy between Hall and Mr. Andrew Peters of Ipswich. Verdict for plaintiff.

Jno. Severans v. Edward Smith. Debt. For entertainment at his house in 1677 and 78. Special verdict. If the debtor's name be to the creditor's book and the creditor's oath to his book, and if the law about accounts judges this to be legal evidence, they found for plaintiff; if not, for defendant. Court gave judgment for plaintiff.

Major Pike v. Edward Gove. Trespass. For coming upon his land near Mr. Wm. Hook's, and, as Mr. Hook's attorney, as he called himself, challenging the land and avowing that the sheep thereupon were his sheep, etc., also disparaging Pike's title to the land and further fomenting differences, which trespass was done on the north side of Mr. Hook's fence, as it then stood. Withdrawn.

Phillip Grele v. Moses Gillman. For withholding a debt of four thousand pine boards which were to have been delivered to plaintiff, to satisfy a debt to Willi. Bradbury. Verdict for plaintiff.

Ephraim Fulsham v. Robert Cross. For telling a pernicious lie, saying that he went away dead freight, when he demanded a parcel of boards on account of Mr. Wm. Simonds. Nonsuited.

Phillip Greele, assignee of Mr. Anthoney Cheekley v. Nicolas Page. Debt. Due upon forfeiture of a bond. Verdict for plaintiff. Appealed to the next Court of Assistants. Danll. Ela of Haverhill and Capt. Nicholas Page bound.

Jno. Redman, attorney to Mr. Seaborn Cotton v. Edward Colcord, administrator of the estate of Edward Colcord, jr., late of Hampton. For not paying Mr. Cotton for a horse which Edward, jr., had of him some years since and was to return upon demand or five pounds, the value of the horse. Withdrawn.

Jno. Redman, assignee of Mr. Seaborn Cotton v. Edward Colcord. Debt. For not paying a bond to Major Nicholas Shapleigh. Withdrawn.

Edward Colcord acknowledged judgment to John Redman, sr., as assignee of the Rev. Mr. Seaborne Cotton.

Edward Colcord, as administrator of the estate of his son Edward Colcord, acknowledged judgment to Capt. John Gillman.

James Smith acknowledged judgment to Saml. Watts of Haverhill, to be paid in pine boards to be delivered at Exiter.

Mr. Andrew Wiggins' license granted at the last Hampton court was renewed.

Charles Runlet acknowledged judgment to Joseph Fletcher.

Upon request of Mary Davis, relict of Ephraim Davis, late of Haverhill, deceased, and Tho. Johnson, her brother, administration of the estate of said Davis was granted to them and they were ordered to bring in an inventory to the next county court. Mary Davis and Tho. Johnson bound.

Samll. Sherborn's license to keep ordinary at Hampton was renewed.

John Page's license to keep ordinary at Haverhill was renewed.

It being moved that a settlement and division be made of the estate of James Davis, sr., of Haverhill, deceased, his will being produced in court, the administrator was ordered to settle it according to the legacies therein expressed.

Court ordered Mrs. Abigail Wheeler to take up the debts due to Clement Jarmin, late of Salisbury, deceased, and pay the charges of his burial, and if there be anything left, she was to present it to Salisbury court, but if the debts due were not sufficient, then the town of Salisbury was to make it up.

Charles Runlett was fined for drunkenness.

Robert Swan, with Tho. Johnson of Andover as surety, was bound to prosecute an appeal against the town of Haverhill.

Daniell Bean, bound to this court for filthy carriage toward Rebecah Morgan, wife of Richard Morgan, was ordered to be whipped fifteen stripes on his naked back or to be fined. The sentence was performed and James Kid was discharged of his bond.

Court ordered that Major Pike, Mr. Thomas Bradbury and Henry Brown were allowed and sworn as commissioners to end small causes for Salisbury.

The administrator of the estate of William Bradbury was allowed until the next court to bring in an inventory.

Jno. French of Salisbury was freed from training, allowing 3s. per annum to the military company.

John Kent of Newbury, being lately on a voyage at sea in Mr. Richard Dole's ship of which one Patrick Ewing was master and said Kent, mate, on the return voyage, said Ewing fell overboard and was drowned. Kent, then master, was appointed administrator of said Ewing's estate, and ordered to bring in an inventory.

William Osgood, jr., for breach of the peace in striking and kicking Jno. Ring, was fined.

Upon motion of some of the relations of Edward Colcord, jr., for a settlement of his estate, court ordered that Capt. John Gillman, Mr. Jno. Samborne and Sargent Joseph Dowe be appointed to call the administrator to account and return their examination to the court. The estate left was to be divided among the heirs and the debts paid.

Court ordered a county rate of 40li.

Ordered to give the servants of the house and where Capt. Saltonstall lodged, 10s.

On July 8, 1681, Thomas Eaton acknowledged judgment to Mr. Daniell Davison before the Worshipful Tho. Danforth, Dep. Govr., and Worshipful Samll. Nowell, Esq., to be paid in pipestaves at 3li. 10s. p thousand and hogshead staves at 30s. p M to be delivered at the hoghouse landing place in Salisbury.

Debts due from the estate of Abraham Perkins, jr., who was slain by the Indians on June 13, 1677 : charge in procuring hay to keep the stock, 3li.; debt pd at Pascataqua, 10s.; to James Hobbs, 5s.; Jonathan Wedgwood, 3s.; six sheep and two lambs killed by the wolves, 2li. 15s. It was agreed by the administrators and Abraham Perkins and Thomas Sleeper, the grandfathers of the children of Abraham Perkins, jr., that considering the three children were young and were to be brought up with their mother and Allexander Denham, her present husband, who engaged to bring up the children and have them taught to read English, they were to have their portions at age or marriage, as follows: to Mercy Perkins, 20li.; to Mary Perkins, 20li.; to Elizabeth Perkins, 20li. Confirmed at Salisbury court, Apr. 8, 1679, and on account of this agreement, Tho. Sleeper was discharged from his bond.

Execution, dated May 6, 1680, against John Wells of Haverhill, to satisfy judgment granted Danll. Thurston of Nubery, Apr. 8, 1679, at Salisbury court, signed by Tho. Bradbury,* recorder, and served by Robert Lord,* marshal of Ipswich.

Writ: Robert Pike, jr. v. William Carr; for carting timber and plank for his vessels; dated Apr. 10, 1679; signed by Tho. Bradbury,* for the court and the town of Salisbury; and served by Henry Dow,* marshal of Norfolk, by attachment of a cow, two barrels of tar, three chests, one box and one table. Bond of William Carr* of Salsbery. Wit: Henry Skerry, sr.,* and Phillip Fowler.*

Execution, dated Dec. 3, 1679, against Samll. Felloes, jr., to satisfy judgment granted Abraham Browne of Salisbury, Nov. 1, 1679, at Salisbury court, signed by Tho. Bradbury,* recorder, and served by Henry Dow,* marshal of Norfolk.

Ephraim Winsley deposed that he was desired by old Goodman Buswell to go with him to hear some discourse between Buswell and his daughter-in-law Susana Buswell concerning some estate of Buswell's that she challenged as belonging to her and her children, it being due to her husband Isack Buswell. Isack Perkins and his wife, Samll. Felloes and Joseph Dow were also present and the agreement was that Isack was to take the two eldest daughters of Susana Buswell, pay for their bringing up, pay all debts of his son Isack, pay Susana 20li. and to the daughters of Isack Buswell 30li. at the age of sixteen years. Susana gave up her right in the house and land of Isack, also her half of eleven or twelve bushels of barley, and she was to have the household stuff of her husband, two cows, a colt and two swine. This was done about July 13, 1679. The wife of Isack Perkins desired old Goodman Buswell to let Susana stay in that house two or three days or a week until they could bring her to Hampton, and then he would take her to his house and she should not trouble him nor his any more. Sworn, Nov. 13, 1679, before Nath. Saltonstall,* assistant.

Samuell Fellows, aged about sixty-one years, testified that Joseph Dow was there to write the agreement but he did not write it as it was concluded. Deponent was a witness. Sworn, Nov. 11, 1679, before Nath. Saltonstall,* assistant.

Warrant, dated Haverhill, Sept. 12, 1679, upon information of a vessel which on the 4th was cast away and stranded upon Salisbury beach, the master and merchant having lost his life, and the inhabitants there having taken the goods and iron work of the vessel without the knowledge of the relations or relict of deceased, to make diligent inquiry for the names of those who had taken the estate and collect all that was

* Autograph.

possible and hold it until his relatives could be located, signed by Nath. Saltonstall,† assistant, and served by Philip Grele,† constable of Salisbury. If the constable met with any just ground to suspect fraud or concealment of goods, he was to notify Nath. Saltonstall. The constable notified Joseph Flecher, Richard Hubbard, John Allin, Joseph French and Major Pike's son to secure what they had. John Allin had the rigging of the vessel and other things that belonged to Mr. [C]arver, Joseph Flecher had the iron work, Richard Hubbard, part of the mainsail and muskets, and Joseph French, about 300 feet of boards.

John Carter and Nathaniell Griffing deposed that being in company with John Stevens, constable of Sallesbery, when he went with John Ring and Martha Lamson to Haverhill to Capt. Saltonstall upon the charge of fornication, Steevens told Ring that his journey to Haverhill should cost neither himself nor his father Ring one penny.*

Ephraim Winsley deposed that Wm. Osgood, sr., owned to him that the saw mill in controversy was set up before the time expressed and Robert Ring deposed the same.

A note of the families in Hampton the first summer that Mr. Batcheller came to Hampton: Jno. Browne, Mr. Husiah, Goodman Johnson, Good. Tucke, Thom. Jones, Good. Sander-sin, Good. Daves, Good. Swaine, Good. Grenfield, Abraham Perkins, Isak Perkins, Francis Pebody, Good. Cool. Yong men that had lots: Willyam Wakfield, Willyam Fild, Moses Coxe, Thom. Kinge, Anthony Taylor, Tho. Ward, Gilles Fuler. Married men: Good. Daulton, John Hugins, Good. Mingy, Tho. Moulton, John Moulton, Willyam Roberts, Good. Maston, Good. Esto, Lieutenant Houerd, Rob. Casell, Good. Cros, Will. Sargent, Author Clark. The second Sumer: Good. Page, Good. Maibor, Good. Auston, Good. Smith, Good. Fillbrek, Good. Sanders, Daniel Hindreks, John Wegod, Tho. Chaes, Good. Fuller, Good. English, Good. Rooper, Good. Ambros, Widdow Parker.

Samll. Felloes, sr., deposed that about twenty-seven years ago, being down with the lot layers and Major Pike in the meadows at the points below Mr. Woster's lot next to Robert Ring's, Major Pike set the stake between said Ring's lot and deponent's, which stake ranged with the northwest corner of Woster's lot that Samll. Woster and Wm. Buswell affirm to be the corner bounds, and so within about a rod of the east end of an old log and to a pine tree at the upland. Sworn, 9 : 2 : —, in Salisbury court. Copy made by Tho. Bradbury,† recorder.

* The papers which follow are classified as "miscellaneous," belonging to Norfolk court and are without date.

† Autograph.

Sam. Pore deposed that he delivered to Nathaniell Winsley one bushel and a half of wheat at 5s. p bush. upon account of William Spilsbrye.

Robert Page testified that about thirteen years ago the town measurers laid out the bounds between deponent and William Estoe and Thomas Moulton, William Palmer guaged to the river on his own side and William Wackefeild and William Howard standing on Estoe's side of the river bade deponent stick down a bow between them in a direct line, which line lay within the ditch made by Christopher Palmer. Sworn in court, attest, Tho. Bradbury,* recorder.

Christopher Palmer testified that he heard Peter Abbot say that he had put a mare to Goodman Hobs for wintering, and that he agreed to pay for it. Sworn before Tho. Bradbury,* recorder.

Will. Fifild and Will. Marston certified that the piece of salt marsh that lay on the other side of the Falls river is common and butts upon the end of Tho. Levit's marsh and Hen. Gren's and Edward Tuck's and other lots of marsh. These lots lay on the east of the piece of marsh and adjoin part of Mr. Hussey's farm on the west, and the said Fifild and Marston assigned this salt marsh to John Redman in satisfaction for his house lot. Copy made by Sam. Dalton.*

Moses Gillman testified that about twenty years ago he was employed by his brother Edward Gillman to go with Mr. Stanyon to take possession of a 30 acre meadow three or four miles from Exeter southerly, which he did.

Andrew Greely and William Buswel testified that at a town meeting at Salisbury, Robert Ring was asked if he would own the articles which they said were made at Wennom, and he said he would own the writing but not the articles. Sworn in court before Tho. Bradbury,* recorder.

Tho. Bradbury,* recorder, certified that the forfeiture of the bond in which judgment was given against Tho. Johnson and Will. Roberts at Salisbury court was the bond wherein they were bound for Edward Colcord's appearance on the suit of Jno. Redman.

Thomas Johnson's and William Roberts' bill of cost in the action between John Redman and Edward Colcot, for bringing the letter of attorney from Dover, going to Boston for Master Rockes testimony, etc.

John Garland's bill of cost in an action brought against him by Mr. Samuel Dudley and John Gilman.

Willi. Osgood's bill of cost. Joseph Langquaster, Vallintun Rowel, Edward Cottel mentioned.

John Gillman's bill of cost, as constable, in a complaint against Fransis Paffat. Worshipful Capt. Wiggin mentioned.

* Autograph

Witnesses in Taylor's complaint: Jeames Fres and wife, Thomas Hoit, Thomas Sargent, Thomas Stevens, William Sargent, Edward Cotel.

Elizabeth Jackson, accused by Byly Dudley for stealing money from him, and she, confessing that she stole 14s. in silver, was fined. Bill of cost of Kinsley Hall, constable of Exeter, for going from Hamton to Exitter to bring said Elizabeth before the court, and to summon Jonathan Smith and wife, "Armstrong, George Robertt my selfe and horse, 5s.," etc.

Bill of cost of Samuella Winsley, sr., in action with Wm. Pillsburie, 12s.

Bill of cost in action of Samuella Winsley, jr., against Wm. Buswell, before the commissioners of Salisbury, 7s.

Petition of Isack Buswel,* John Severence,* John Stevens, sr.,* Edward French,* William Buswel,* Samuel Fellos, sr.,* John Ilsly,* Jno. Gill,* Joseph French* and Ephraim Winsley* to the Salisbury court: to consider and "settle unto our reverend pastor Mr. John Whelewright an honorable maintenance for he haueing had butt fiuety pounds a yeare, the accomodation excepted, since the newtowne were parted from the old towne which our pastor sayes he cannot comfortably liue on and we also thinke the same and are willing more should be allowed him butt itt cannott be yett attained to be done by the Towne in generall and so our refuge is to this honored Court that it may be done according to the law of God and the countrey."

Warrant for the appearance of Henry Ambross at Salisbury court to answer a presentment for falsifying a bill, signed by Tho. Bradbury,* for the court.

Summons to Goody Wells, Goody Stevens and Goody Wheelare, as witnesses, signed by Tho. Bradbury,* for the court, and served by John Stevens,* constable of Salisbury.

"Att a meeting of y^e Millitia of y^e town of Salisbury y^e 14th day of August An : Dom : 1689 It is ordered by y^e said millitia that for y^e more safty of y^e s^d town there shall be certayn Scouts sent forth consisting of nine souldiers in a scout under y^e Commands of y^e psons here under named viz: Leift. Henry Tru. Leift. John Stevens: Cornet Hubbard: Ensigne Brown: Corpo^l Jacob Morrill: Sargent Bei Stevens: Sarg^t Joseph Tru: Sarg^t. Page, Sarg^t Joseph Eaton, John Allin: Willi Allin: & Josep Fletcher, who are successiuey to rang about y^e out scirts of y^e town: dayly untill farther order be taken: the souldiers appointed to each comander ar inserted under y^e hands of s^d Millitia: & y^e Clark of y^e band: is to giue notice of this order: to each Commander & to each solder: under each Commander for y^e orderly pceed-

* Autograph.

ing of the commanders it is figured over y^e Commanders name to each company: signed under y^e hands of y^e Millitia: every solder is to be well fitted wth Arms & Ammunition fitt for s^d service: as also a good horse: And upon y^e discovery of any danger forthwith to give intelligence thereof to y^e cheif Commanders or any of them. Robt. Pike, Cp^t of y^e troop, Tho. Bradbury, Cap^t of y^e fort, Jn^o Stevens, Leift of ye foot, Rich^d Hubbard, cornet of y^e troop, Ensigne Nath^l Brown."

Thomas Wells'* complaint of the abusive carriages in his house in the night toward his wife when she was in bed and he not at home, by Samll. Weed, John Coleby, John Weed, Orlando Bagley, Thomas Freame, Thomas Harvey and Mary Sargent. Samll. Weed was wagered by a quantity of liquor according to common report to go to his wife's chamber where she was asleep with her child and kiss her, which he accordingly performed, John Colby holding the light as a witness that the wager was carried out.

Jeams Sanders testified that Leift. Georg Brown said that he thought that Fransis Badoe had broken up his house and gotten the things he had lost, and they searched but could not find him, so Brown sent a hue and cry after him. Owned in court.

"Cap^{tn} Bradbury sir: I reseived your account this 27 of februarie where in you desired me to send you my account which I know not whither I can doe it or noe: but I haue here sent you ale I knowe: to carying your Boy to Boston, 6s. to my husband one day to mend your caske and heding up your farking and such lik worke, 2s. 6d. yours to sarue Johanah Steuens."*

Capt. Bradbury delivered a pound of powder to each of the following by order of the military company of Salisbury: Sam. Winsley, John Hoyt, George Browne, Willi. Browne, Willi. Partridg, Phillip Wollidg, Tho. Eaton, John Severanc, Sam. Fellowes, Dan. Worcester, George Martin, Ralfe Blesdale, Willi. Allin, John Gill, Tho. Barnett, Tho. Carter, Willi. Barnes, Willi. Buswell, Willi. Holdred, John Weed, John Elsly and Vall. Rowell.

The town of Salisbury was indebted to John Allin for keeping Rebecka Hackit twelve days, Feb., 91; to Benjamin Allin going to Boston to fetch Captain Buswell's commission, 15s.; for warning a town meeting in Feb., 91, to choose selectmen and constables, 5s.; for stoning Mr. Allin's well, 11s.

In the action between Mr. Hussey and Abraham Drake, marshal, the cow was John Hussey's when taken by execution, etc.

* Autograph.

Stephen Kent's bill of cost, going to Andover to take oath before Mr. Bradstreet, etc., 3li. 5s. 6d.

Bill of cost of Samuell Winsley against Theophilus Sechell, to Newburie to fetch Mr. Coffin's testimony, to Haverell and Ipswich, etc.

Humphery Willson's bill of cost against Christopher Pallmer.

Bill of cost of town of Salisbury against Robbart Ring.

John Godfrey's bill of cost in William Simons' action, 1li. 11s.

List of names: Major Pike, Samll. Buswell, Jno. Eaton, Andrew Grele, Jno. Ilsly, Rod Easman, Rich. Smith, Jno. Easman, Ephraim Winsley, Wm. Bradbury, Tho. Bradbury, Jno. Easman, Morris Tucker, Jno. Stevens, Henry Brown, Nat. Browne.

Mihill Lambert's bill of cost. Mr. Fogg, Goodman Burcham and Leift. How mentioned.

Robert Swan's bill of cost.

Jno. Morrinn's bill of cost against Rob. Lord, 1li. 13s. 1d.

William Furbur's bill of cost, 1li. 5s. 4d.

John Warner deposed that Edward Colcord promised to deliver Humphre Willson a heifer to satisfy a debt that Thomas King and said Willson promised to pay Mr. Dudle, etc. Sworn in court before Tho. Bradbury,* recorder.

John Warner by order of Worll. Capt. Wiggim attended court six days, and witnessed in the action between Fra. Swain and Goody Chase. Bill of cost for himself and wife for attending about Tho. Pettee.

Presentments: Haverill, for not having stocks, and for the want of a "skuell master"; John Etton, sr., of Salisbury for breach of the peace in striking Moses Wostar. Wit: Fillup Grelly.

Venire, dated Mar. 9, 1671-2, for Exiter; also summons for want of a pound and stocks and also a sufficient bridge over the river, being a country highway, and lack of rails, also to witnesses, Samll. Levitt and Jonathan Thing; and summons to Samll. Foulsham to have his wife Mary answer for being from home at unseasonable times in the night, for appearance of uncivil carriage at a saw mill at Exeter, and to witnesses, William Holdred and Richard Morgan; Samll. Fulsham was to testify in a presentment against George Jones; signed by Tho. Bradbury,* for the court; and served by Nich. Lissom,* constable of Exiter, who returned the names of John Foulsham, jr., and Moses Gillman for jury men, also Edward Smith was chosen constable for the ensuing year and Jona. Thing to answer the presentment.

Jonathan Thing, constable, certified that the town of Exiter chose Left. Ralf Hall, Tho. King and Mr. Jno. Gilman com-

* Autograph.

missioners and Mr. John Geillman, clerk of the writs, and Tho. Kinge, constable.

Samuell Winsley deposed that he desired John Redman to go with him to a parcel of meadow of Emanuell Hillyard of Hampton as a witness to the seizure of two stacks or ricks of hay on execution for a judgment granted Edward Colcord at Hampton court, and deponent forbade said Hillyard's wife meddling with it. Sworn in court.

John Godder of Lamperell river appointed Edward Colcord his attorney in an action of review against Mistress Ann Massen, and to answer James Nealle.

Christopher Hussey of Hampton was granted 150 acres of upland, meadow and marsh for a farm lying between the Falls river toward the north, etc. Copy from the book of abatements of land, page 7, made by Sam. Dalton,* register.

Joseph Davis testified that he heard William Deall own that he had given Jon. Swadock a bill for 20 bushels of wheat and 26 bushels of Indian corn, due in 1662 or 1663. Sworn in court.

Edward Cotel's bill of cost against Mr. Winslew.

John Swaine's bill of cost. Nicklas Lison, Jno. Garland and Tho. Pettitt mentioned.

Bill of cost of Sam. Winsley and Richard Ormsby, conviction of ye Quakers, etc.

Debts to be paid to Tho. Bradbury,* in money: Quartermaster Osgood, 1li. 1s.; Mr. Goldwyer, cotton wool and rum, 11s.; Onesiphorus Page, 1li. 10s.; Cornelius Conner, 2li. 8s.; Cosen Mary Allin, 4s.; Jno. Allin, by judgment in Salisbury court, 1679, 3li. 6s.; Phillip Grele, 2li. 1s.; Mr. Samll. Wheelwright, 1li. 3s. 8d.; Samll. Fowler, 5s.; Dan. Ela, 19s. 10d.; Peter Eyer, 9s. 2d.; Zakery Davis, 2s. 10d.; Jno. Clough, sr., 2s.; Sam. Colby, for a license, 2s. 6d.; Humphrey Willson, 3s. Debts due per book: Georg Martyn, 2li. 14s.; Jno. Hoyt, jr., 4s. 5d.; Samll. Levit, 10s. 8d.; Moses Gillman, upon Mr. Wadley's account, 300 foot of boards, 1li. 5s. 8d.; Jno. Clark of Exeter, 2s. 4d.; Timothy Hilliard, 6s. 6d.; David Robinson, 2s.; Jno. Bayly, part to Benaya Titcumb, 1li.; Rich. Currier, 6s. 10d.; Jno. Redman, sr., 2li. 13s. 6d.; Henry Kimball of Haverhil, 6s.; Nat. Griffyn, 5s. 11d.; Ed. Gove, 9s.; Tho. Easman, 4s. 4d.; Sam. Getchell, sr., 16s. 8d.; Sam. Clough, 1s. 4d.; Mr. S. Stanian, 1li. 5s. 6d.; Sam. Colcord and Wm. Evens, 1li. 8s. 9d. Bills: Mr. Carr, 17s.; Jno. Grele, 7li.; —, Peasly, Christo. Palmer, 11s.; Joseph Shaw, 1li. 10s.; Jno. Griffyn, 1li. 2s. 8d.; Robt. Ring, 12li. 10s. 4d.; Ed. Gove, 15s.; Jno. Young, 8 feet of boards, 1li. 12s. Upon book: Joseph Easman, 3s. 6d.; Jno. Redman, jr., 18s. 1d.; Jno. Jimson, 5s.; Jno. Allin, —; Tho. Philbrick, 6s. 10d.;

* Autograph.

Ephraim Brown, 4s. 2d.; Mr. Wm. Hook, 5li. 1s. 6d.; widow Ephraim Davis, 2s. 10d.; Dan. Tilton, 10s. 9d.; Jno. Severans, 16s. 4d.; Onesiphorus Marsh, 11s. 8d.; Mr. Stockman, 5li. 9d.; Robt. Swan, 16s. 8d.; Morris Tucker, 1li. 6s. 3d.; Philip Grele, 1li.

Robert Booth, aged about sixty-eight years, deposed that about 1644 he found thirty acres of meadow about three miles south of Exeter town and he acquainted the town with it. Anthony Stanyan asked for it and it was granted him, deponent being requested to give him possession, and he did so by cutting some wood on a point of upland that shoots out into the meadow. This meadow now lay about half a mile west of the house which Mr. Seaborne Cotton owns to be his, etc.

Nath. Barnard, Sam. Colby and Mary Colby, Jno. Colby and Walter Tayler, were complained of for great misdemeanors at Jno. Colbye's house by fighting and excessive drinking, and said Barnard was convicted.

Letter from Edward Starbuck,* dated Dover, July 2, 16-8, concerning a saw mill that was almost finished, and that he would have to pay his debts in boards instead of money as the fishermen had not received any money that year, etc.

"From Greneage this 10 of September 1652

"Loueing Brother My Kind Loue to you hoping In god you are In good hellt As I Am At this present resting heare I giue god prayes for it these few Lines Is to Let you vnder stand that you Ar at new Einland bey your Letter If — it Is strang neuse to me to heare of It that you — be to souddenley gone and not send me word But All our Frindes Ar all well As Fare As I knowe But my housban Is dead In the Inges And As Fare As I know I maye be at New Eingland the next yeare I haue soum Aquayntantes theare thear Is one M^{rs} Boyer In Boston her housban is A master of A ship And one M^r Thyrston Master of A ship If you send A Letter send It bey M^r Huston And so I rest

"Your louing sistear

"Ann Morg——."*

Rates: Tho. Macy, 7s. 10d.; Georg Martyn, 2li. 2d.; — Currier, 6s. 11d.; — Rowell, 3li. 9d.; — Cottell, 3s. 1d.; — Winsley, 5s. 1d.; — Cobham, 7s. 8d.; Andrew Greely, 5s. 2d.; — Ilsley, 6s.; Richard Wells, 6s. 3d.; Phillip Woelidg, 9s. 7d.; — Rolenson, 3s. 4d.; — Rolfe, 12s. 9d.; — Cole, 4s.; — French, 3s. 10d.; — French, 15s. 3d.; Robert Pike, 14s. 10d.; — Moyce, 3s. 2d.; Georg Goldwyer, 11s. 9d.; Jno. Eaton, 5s. 1d.; Rich. Ormsby, 6s.; Rich. North, 4s.; Rich. Goodale, sr., 7s. 2d.; Rich. Goodale, jr., 2s. 11d.; Phillip Griffin, 13s. 2d.; Henry Browne, 4s. 11d.;

* Autograph.

Willi. Allin, 8s. 3d.; — Coffyn, 8d.; Mr. Carr; — Mayfield; Mr. Winsley, 5s. 4d.; Isaac Boswell, 14s.; Will. Buswell, 13s. 3d.; Mr. Bradbury, 1li. 2s. 2d.; Tho. Bradbury and John Stephens, jr., 4s. 5d.; John Severans, 6d.; John Gill, 6s. 11d.; Mr. Carre, 17s. 9d.; Sam. Buswell, 6s. 2d.; Sam. Fellows, 10s. 5d.; Rog. Eastman, 11s. 10 1-2d.; John Stephens, 13s. 1-2d.; Wid. Willex, 2s. 9 1-2d.; Rob. Fits, 5s. 11 1-2d.; Will. Allin, —; Hen. Browne, 8s. 5d.; Ric. North, 2s. 2d.; Edw. French, 1li. 1s. 2d.; Ric. Goodale, sr., 7s. 2d.; Ric. Goodale, jr., 18s. 2d.; Wid. True, 2s. 11d.; Abrah. Morrell, 10s.; Willi. Osgood, 1li. 8s. 3d.; Rob. Ring, 2s. 1d.; John Maxfield, 1s. 5d.; Will. Browne, 3s. 8d.; Steph. Flanders, 2s. 9 1-2d.; — Gechell, 2s. 5 1-2d.; Tho. Carter, 7s. 9d.; Edm. Elleat, 3s. 4d.

Rate of 20li. for the third payment on Mr. Hall's farm to be paid in pork, wheat, barley or pease or any two of them, and delivered at Center Haven in Boston, made by William Osgood,* Richard Currier,* Anthony Collby,* Robert Pike* and Andru Grele.*

Copy of will [torn] of Joseph Peasly. Mentions son Joseph, under age, and wife. Wit: Phillip Challis, Thomas Ba—— and Richard Cu——.

Deed, James Wall of Exiter to Henry Roby, in consideration of eight acres of upland and swamp given said Wall by the town of Exiter, also 100 acres nearby and 90 acres between Ass brooke and Exeter, sells to said Roby one bill of 40li. due Wall from Mr. Vallentine Rowell, dwelling near Oyster river, one mare, 7,000 pipestaves and hogshhead staves, as many ashen oars as amounts to 15li. at 3 farthings per foot, two cows, house, barn, lot fenced in, with three acres of fresh meadow, two cows in Hampton, two feather beds, curtains, rugs, blankets, sheets, etc.

Petition to court signed by Edward Colcord,* William Marston,* Thomas Derbarne,* and sworn before Samuell Dalton,* commissioner and clerk of the court.

Bill of cost. Richard White, James Wiggins, Nath. Master-son, Capt. Davis and Capt. Bradbury mentioned.

Jno. Stevens, sr., testified. Old Goodman North, Wm. Woster and Robert Ring mentioned.

William Maston, sr., deposed that he had notice of a town meeting at Hampton, etc.

Richard Swaine testified that he gave Boulter liberty to make use of the land or timber that he bought of said Boulter which was sometime Saweres "that Boulter bought of him and Recovered the titell of Collecot by lawe." Sworn, June 17, 1659, before Mr. Wiggin and Samll. Dalton.*

Nehemiah Jewett deposed that being at Haverhill about

* Autograph.

March, 1670-71 with Jno. Todd, etc. Georg Cocks mentioned.

John Hutchins and wife Francis testified that they heard — Moses say, etc.

— Cornish asked the court to accept his declaration in writing as he was unable to "declare" himself in his complaint against — Gilcen.

Venire returned by Tho. Sargent,* constable of Amesbury.

Paper addressed "To Thomas Bradbury at his house in Salisbury," from Edwd. Rawson,* secretary.

Bill of cost at Salisbury court. Thomas Crawli mentioned.

Paper referring to the birth of a child of Susan —. Wm. Osgood mentioned.

Venire. Tho. Bradbury* mentioned.

Writ. Wm. Buswell and Sam. Winsley mentioned.

Rebecca Morgan's acknowledgment to the Salisbury court, concerning her relations with Daniell Beane. The testimony of Jonathan Clarke mentioned, also Mr. Scammons, Armstrong, Horne, etc. She denied drinking a bottle of liquor with an Indian.

Copy from the book of orders, by John Johnson:* that every man who had any cattle or any herdsman should bring in their full payment for quality, time and place according as they were appointed by the selectmen, all delinquents to pay 16d. per shilling.

Robert Pike* affirmed that in what he said about the stating of the meadow in the cow common, he did not mean that all who ever had grants in the town should have it or that it should be stated upon any that formerly had a right and sold it rather than upon a present right, but all who were then commoners in the old town by grant by the town "if any should pretend right to them the towne should not make themselves Judges of the case by delivering them possession of these shares in our cow common but that it should go to those whose present privileges gave them right to it from the old town immediately: and that if any obscure right was obtained from them by purchase or other way, the town was not bound by that but wear bond to all that are present proprietors by our own order."

Elizabeth Ring, jr., aged about fifteen years, deposed that the heifer that her father and Pukeeker drove away from their house, having been in their corn, was William Brown's and it was very unruly, often leaping over a sufficient five rail fence.

Andrew Grely, aged about fifty-two years, deposed that thirty-one years ago he made hay for Robert Ring at the lower end of his first division on the lower side of the pond

* Autograph.

commonly called Robert Rugg's pond to a little gutter or creek that came out of said pond. The old pine tree lay several rods within the said Rugg's meadow. Sworn, Aug. 26, 1672, before Robt. Pike, commissioner. Copy made by Edw. Rawson,* secretary.

Joseph Lankester's bill of cost, for his time going up into the new town, etc.

Copy of order concerning fences from the town book made by John Johnson.*

Henry Brown's* bill of charges as constable, serving warrants on Mary Coleby, James Freise and his wife, Wm. Sergeant, and Tho. Hoyt as a witness. Ed. Cottle mentioned.

Richard Currier's bill of cost, 2s.

Pressed for the country's service: Willi. Hook, Edward French, sr., Benj. Allin, Jno. Gryffyn, Robt. Roe, Edward Screven, Joseph Norton, Saco, and Edw. French. On the reverse of this paper: Wm. Hook, Jno. Collins, Sam. Joy, Jo. Osgood, Pet. Pette, Sam. Carter.

Land granted to John Legatt at Salisbury.

Copy of a record of a town meeting, made by Sam. Dudley: that James — should have the 30 acres of meadow toward Salisbury, granted to Sam. Waller and — before they went away, etc.

Robert Downer and Philip Grely deposed that going to Newbery they saw Ephraim Severanc who told them a story about Mary Weed. Deponents always considered her an honest maid, etc.

Complaint to Salisbury court of Goodwife Flanders against Sameuel Gachall and his wife for calling her vile names. She and her daughter went into Gachell's field to see where their cattle had broken in and Goodwife Gachell met them and asked if they had come to steal their corn. "I said no I haue no need of yo^r corn: then shee said geet of my ground thou pennycoinquick — I am sheure you are com to stell my corn: shee had a pumkeng in har hand she held it up & said shee woold staue my hed wth it, then I said if my Cattell haue stooid your corne you^r piggs haue stooyd Mine wheat: then shee said com down: St: Donstone to heare how the Deuill lies: & Likewise good man gacheall doe often prouocke mee by calling my Children Deuills," etc. Referred to the next Hampton court.†

Complaint of Thomas King,* constable of Exeter, against John Young for selling liquor to an Indian. Wit: Cistean Doler, Meream King, wife of said Thomas, and Rachell Moul[ton].

Mr. Edw. Hilton informed the court that there was an assessment upon his estate to pay the last country rate which

* Autograph.

† See *ante*, vol. 3, p. 319.

COURT HELD AT SALEM, 25 : 9 : 1679.

Judges: Maj. Generall Daniell Denison, Maj. Wm. Hathorne, Mr. John Woodbridg and Mr. Wm. Browne.

Grand jury: Leift. Tho. Putnam, Sergt. Thomas Fuller, Mr. George Keaser, Jeremiah Meachum, sr., Thomas Rix, Ensigne Nathanill Felton, John Hill, William Browne, William Sergeant, John Abby, jr., Hen. Collens, sr., Hen. Sibly, Ensigne Bancraft, Joseph Mansfeld, senr., and Thomas Bishop.

Jury of trials: Mr. Samll. Gardner, sr., Mr. Joseph Hardy, sr., Mr. Wm. Bowditch, Mr. Richard Croade, Joseph Hutcheson, John Leach, jr., Ben. Pitnam, Hugh Woodberye, Joseph Daliver, Samll. Kemboll, Thomas Farrer and Daniell Gott.

[The grand jury being called and not appearing were fined 10s. each. — *Waste Book*.]

Mr. William Longfellow v. Pennell Titcombe. Debt. Verdict for defendant.*

he thinks he is freed from by the articles of agreement of the river of Pascattaqua with the government of the Massachusetts which is acknowledged to come under said government. Court ordered that the constable of Exeter forbear to take anything of said Hilton's estate until the next session of the General Court that Mr. Hilton may have an opportunity to clear up his freedom from paying to the country rates to the said General Court.

Nath. Winslo testified that one of the bound trees of his father Samll. Winsley's lot which lay next Mr. Car's lot, was a pine tree that stood on a small pine plain on the westerly side of Cobler's brook, so called. Sworn, 9 : 2 : 1667, at Salisbury court.

Samuell Dalton, aged about thirty years, testified that William Marston said that Ed. Colcord sent for him in the morning and he went down with his ax to cut wood. Colcord and Tho. Dearborn went with him. Henry Dow asked if he stood and looked on, and Natt. Boulter said "Tho. Dearborn and you had the axes," and Will. Marston said he brought his ax and the chain and Dearborn brought up his father Colcord's ax. Sworn before Samuell Dalton,† commissioner.

Paid to Caleb Moudie p Capt. Pike, Wymond and Woodin.

*Writ, dated Nov. 19, 1679, signed by Daniel Denison,† and served by Joseph Pike,† constable of Newbury, by attachment of the dwelling house and land of defendant.

Penuell Titcomb's bill of cost, 2li. 9s. 4d.

† Autograph.

John Poland v. Thomas Patch. Trespass. Verdict for defendant.*

Stephen Grenlefe's† receipt to Penuell Titcomb for 40 shillings in money for the iron work that was done on his account for the vessel that was built at Nubery Falls by John Haseltin, for Mr. Longfelo and the rest of the owners.

Bond, dated Dec. 25, 1676, given by Penuell Titcomb,† of Newbery, to carry on an eighth part of a vessel which William Longfellow had engaged by articles to build, and pay to said Longfellow, 56li. 5s., half in money and half in corn, wheat at 5s., barley at 4s., rye at 4s., and pease at 4s. Wit: John Dresser† and Sarah Phillips.† Sworn, Nov. 20, 1679, before Daniel Denison.†

Account paid to William Longfellow by Penuell Titcomb on account of the ship Beginning: to provision, 27li.; to mony, 15li. Moses Brodstreet and Benayah Titcomb heard said Longfellow own this account. Pd. by Penuell Titcomb by order of William Longfellow to the builder of the ship John Heselton in money, 6li.; provisions, 7li. 14s. Owned by John Heselton. Iron work, 2li.

Moses Bradstreet, aged about thirty-six years, and Abell Plats, aged about thirty years, deposed that being in Boston on Nov. 2, 1677, he heard them make up the account, etc. Sworn in court.

Thomas Kemble, aged about fifty-six years, deposed that being desired by Mr. Joseph Dell, Mr. Willm. Longfellow and Penuell Titcomb and others, owners of the ship Beginning, of which said Dell is now master, he heard Longfellow agree to deliver up to Titcomb and the other owners mentioned in a mortgage which he then gave them for the half of said ship, all the bills that concerned their interest as soon as he came home to Rowley. Sworn, Mar. 25, 1678, before Tho. Clarke,† assistant.

*Writ: John Polin v. Thomas Patch; trespass, for filling up a ditch in his meadow, whereby his meadow was lain open to hogs and cattle; dated 18:9:1679; signed by Hilliard Veren,† for the court, and clerk of the town of Salem; and served by Richard Hutton,† constable of Wenham, by attachment of Indian corn of defendant.

Thomas Patch's bill of cost, 2s.

Copy of the town records of Wenham, 6:11:1678, made by Thos. Fiske,† recorder to the selectmen: "its ordered that all such as haue lands lying in o' towne shall make their Bounds Appaere upon demand of those that are or shall be Appointed by the towne to take notice of them or elc their

† Autograph.

land shall be measured to them according to theire Grante from the towne. It is ordered that the Selectmen are Appointed to see to the prosecution of abouesaid order."

John Dodge, aged about sixteen years, deposed that, being at work, Thomas Pache desired him to go with him to witness that he filled up Goodman Polan's ditch, and he saw him throw into the ditch so much of the bank as made a way for cattle to go over. He pulled down the fence at another place. Sworn, 21 : 4 : 1679, before Wm. Hathorne,* assistant.

Alexander Tomson, aged about forty-eight years, deposed that when he lived with his master Starkweather about twenty-seven years ago, this meadow was then called John White's meadow, and the very ditch which was now broken down was then full of cocks of hay in White's day. Sworn, Apr. 17, 1679, before Daniel Denison.*

John Abey, aged about thirty-eight years, deposed that having some discourse with Thomas White about the meadow which he sold to Richard Brayebrooke, he told deponent that the point of upland that runs from Thomas Patch's land, which lies south of the ditch, was the utmost extent of his meadow northward. Further that White's father told him the same, and the land has been accounted common for twenty-five years. Sworn in court.

William Knolton, aged about thirty-eight years, deposed. Sworn in court.

Richard Hutton, sr., aged about fifty-five years, deposed concerning serving the attachment. Sworn in court.

Thomas Fiske, aged about forty-nine years, deposed that this land had been common land thirty years, and deponent warned Powland in behalf of the selectmen about fencing in any swamp land with his meadow. Sworn in court.

William Fiske, aged about thirty-six years, and Walter Fay-erfield, aged about forty-eight years, deposed that in the spring of 1679 they understood that John Pouland, under pretence of a right to six acres of meadow bought of Richard Braybrook which was formerly granted to John Whitt by Salem, had almost fenced with a ditch about twelve acres of swamp, and in accordance with the town order the selectmen and proprietor of the swamp adjoining Pouland's demanded of him to show them the bounds of his meadow, or to choose where in the land he would have his six acres and they would lay it out to him. He refused to do either, whereupon they measured all of the land accounted meadow lying southward of the point of upland that runs from Thomas Paches land eastward to Richard Dodg's land, leaving to the southward all that was said to be meadow and bounded on the south and east with Poland's ditch, and they found within the ditch

* Autograph.

John Cromwell v. Arther Kibben. Debt. Verdict for plaintiff.

John Buxton v. Benjamin Woodrow and William Sibley. Trespass. Verdict for defendant, the land in controversy not exceeding an acre and a half.*

eight acres and a half, about two acres of which is swamp. The ditch was about twelve rods northward of the line and point, on Thomas Paches land and was in Wenham. Sworn in court.

Nathaniell Browne deposed that he appraised Powland's damage at 7li. 15s. by eating up the grass and the hogs rooting in the meadow. Alexander Thomson testified to the same. Sworn, Nov. 11, 1679, before Daniel Denison.†

Richard Braybrooke, aged sixty-seven years, deposed that, he never claimed any right in the common there, etc. Sworn in court.

John Dodg, aged seventeen years, deposed. Sworn, 25 : 9 : 1679, before Edm. Batter,† commissioner in Salem.

John Dodg, aged about forty-seven years, deposed that the meadow on the northwest side of his meadow bounds his "brother Richard Dodg's meadow bounds was owned by John White senior," etc. Sworn, 26 : 3 : 1679, before Wm. Hathorne,† assistant.

Thomas Geare, aged about thirty-three years, testified that there was a gap in the ditch about half a pole wide, which laid the meadow open to the common. John Abey, aged about thirty-six years, testified to the same. Sworn in court.

John Beare, aged about thirty years, deposed that he heard Pache say that he had filled up the ditch and if Poland set any posts and rails he would cut them down. Sworn, 26 : 4 : 1679, before Wm. Hathorne,† assistant.

*Writ: John Buxton v. Benjamin Woodrow and William Sibley; trespass, for mowing the grass and carrying away the hay from land within the bounds of Robert Goodell's farm which he bought of said Goodell; dated 19 : 9 : 1679; signed by Hilliard Veren,† for the court and the town of Salem; and served by Job Swinerton,† constable of Salem, who attached oxen of said Sibley and land of Woodrow.

Defendant's bill of cost, 1li. 5s. 6d.

At a meeting of the Salem selectmen, 13 : 12 : 1651, Capt. Hathorne, Mr. Downing, Mr. Corwin, Jeffery Massey, Mr. Price and Hen. Bartholmew being present, "Robert Goodale haueing 40 Acres of Land Granted long since by the towne, and hee haueing bought land of severall others that had land granted to them viz Jos. Grafton 30 Akers John Sanders 40

† Autograph.

Acres Henr. Herrick 40 Ac's W^m Bownd 40 Acres Rob. pease & his Brother 30 Acres Rob^r Cotta 30 Acres, William Walcott 30 Akers Edm^o Marshall 20 Acres Thom Antrum 20 Acres Michael Shafflin 20 Acres m^r Venor 40 Acres John Barber 30 Acres Philem^o Dickerson 20 Acres m^r Goose 50 Acres In the whole 480 Acres, Itt is ordered that the said Robert Goodale shall Enjoy the said 480 Acres of land being part of the Eleven Hundred Acres if hee discharging the towne of the Abouesaid grant and hee is Allowed to said 480 Acres of upland; 24 Acres of meadow provided that the meadow laid out within his upland bee a p^t of itt." Copy made 24 : 9 : 1679, by John Hathorne,* recorder to the selectmen.

At a meeting of the seven men of Salem, 30 : 3 : 1649, "Granted unto Goodm. Giggles Joshua Grafton, Goodm. Jackson and others (who had Eleven Hundreed Acres of upland Fifty Acres of meadow to bee deuided amongst them lyeing part betweene Goodm. Moultons Brooke & Ipswich Riuer & the other part lyeing on the south side of the Riuer betweene m^r Norrice & Cap^t Corwins Farmes." Copy made, 25 : 9 : 1679, by Jno. Hathorne,* recorder to the selectmen.

Deed, dated Nov. 3, 1668, given by Roberte Goodelle† of Salem, farmer, to his daughter Hanah Killum of Salem, 35 acres of land in Salem, 10 acres of which adjoined the home field of said Robert, bounded on the northeast by land of Jonathan Walcut, by Thomas Flint on the northwest the bound being a white oak and by the land of Mr. Gardner, sr., on the west, bounded with a white oak which is also a bound for Mr. Gardner, Anthony Needum and Thomas Flint, and on the southeast by land of Jonathan Walcut and Anthony Needum; the other parcel of 25 acres adjoins the 40 acres of Lot, husband of Hanah Killum, the whole length of it, having said 40 acres on the easterly side and land of said Robert on the other side almost all the length, bounded at Mr. Norice's Brook with an elm and at the upper end of Jonathan Walcut's meadow with an elm it being also a bound for Zachariah Goodell, and on the south the bound is a white oak, being also a bound for Isaac and Zachariah Goodelle. Wit: John Swinnerton* and John (his mark) Smith. Said Killum promised not to sell this land without his wife's consent. Acknowledged, 14 : 6 : 1678, before Wm. Hathorne,* assistant.

William Traske and John Pudney deposed that about sixteen years since they were present when Thomas Small sold this land in controversy to Benjamin Woodrow. Said Small sold it as son-in-law to old Canterberey to pay a legacy to the Woodrow children. Sworn in court.

Thomas Cave, aged about forty or fifty years, deposed that

* Autograph.

† Autograph and seal.

he mowed this meadow for William Sibly, together with Benjamin Woodrow. Sworn in court.

Copy of deed, dated Dec. 29, 1674, given by Robert Goodale, sr., of Salem and Margaret (her mark) Goodale, his wife, who released her dower, to John Buxton of Salem, for 25li., 21 acres of land in Salem, "near y^e great River commonly called Ipswich River having on y^e easterly side y^e land of Job Swinnerton Jun^r & y^e s^d Buxton bounded on y^e corner next Zaccariah Goodwells with a stake & Joyns to y^e s^d Goodales land on y^e southerly end & y^e other corner bound is a stake & so to a markt wallnutt tree adjoyn to y^e land of Lott Kellum & from thence on a strait Line to a redd oak tree y^t stands upon upland being markt & so down to y^e brook Commonly called one Norias Brook having on y^e westerly side all along y^e land of y^e s^d Kellum & Thomas Flint & on y^e northerly end of y^e s^d Brook is y^e bound." Wit: Job Swinerton and John Coaker. Acknowledged, 3 : 3 : 1675, before W. Harthone, asst. Copy examined by Steph. Sewall,* clerk.

Nathaniell Putnam deposed that about twenty-seven or eight years since he helped some of Goodman Swinerton's family to mow an acre near a hill called Goodale's hill, on the westerly side of Capt. Corwin's line, and which meadow has been counted ever since Capt. Corwin's meadow, etc. Sworn in court.

George Corwin, aged about sixty-eight years, deposed that his farm of 250 acres adjoining the great river on the north and northwest side, which was laid out to him by the town about thirty years ago, he sold to Goodman Canterbury and Job Swinerton. There were then two acres of meadow about the west side of the white oak which was the bound between Robert Goodale and himself, it being some distance above his farm between the river and said Goodale's lot, which was laid out to deponent by the town when the whole farm was. Sworn in court.

Robert Goodall, aged about eighty-nine years, deposed that Capt. Curwin's farm was laid out before his. Also that he did not sell that little piece of meadow to John Buxton. Sworn, Nov. 25, 1679, before Bartho. Gedney,* commissioner.

Thomas Flint, aged about thirty-three years, deposed that the fifty acres of upland and meadow that his father bought of Goodman Goodale was part of the 1,100 acres, so called, etc. Sworn in court.

Antoney Nedham deposed that about twenty-eight years since he carted hay by Capt. Curwin's order off this piece of meadow. Sworn in court.

Zakare Goodale, aged about forty years, deposed that he improved his father's farm, etc. Sworn in court.

* Autograph.

Robert Knights, sr. v. Onesiphorus Allen and Samuell Leach. Verdict for defendants.*

John Burron, aged about twenty-eight years, deposed that Willi. Sibly hired him to cart home the hay, etc. Sworn in court.

John Putnam, sr., aged fifty years, deposed that Capt. Gorg Curwin had possessed this meadow about thirty years and deponent was present when he delivered it to old Canterbury about twenty years ago, one of the lot layers being there also. Sworn in court.

*Writ, dated 18 : 9 : 1679, signed by Hilliard Veren,† for the court, and the town of Salem, and served by Jams Powl-ing,† constable of Salem. Bond of Onesiparos (his mark) Alin, with Robert (his mark) Leach and Samull (his mark) Leach, as sureties.

Defendants' bill of cost, 4li. 7s.

Copy of papers in a similar action tried in the last Salem and Ipswich courts.

John Abbot and John Knighte testified that no wood was taken from Knight's farm, etc. Sworn in court.

Samuell Allin, aged about fifty years, William Allin, aged about thirty-three years, and Robert Leech, aged about twenty-seven years, deposed that the wood was cut in Manchester. Sworn in court.

Copy of warranty deed, dated May 21, 1679, given by James (his mark) Russell of Charlestowne, merchant, confirming to Robert Knight, a farm at Kettle Cove containing four score acres, that Gloster, in 11 mo. 1643, granted to Mr. Richard Blindman, formerly minister there, who sold it to Richard Russel late of Charlestown, deceased, who in turn conveyed it, 8 : 4 : 1659, to Robert Knight of Marblehead. Wit: Joseph Shapley, Eleazer Moodey and Jno. Hayward. Acknowledged, May 21, 1679, before Edw. Ting, assistant. Copy made by Steph. Sewall,† cleric.

On 29 : 1 : 1651, at a town meeting at Manchester, the following allotments of marsh were made: Thomas Chub, 1; Henery Lea, 2; Willam Everton, 3; Richard Norman, 4; John Pickworth, 5; Nathanell Masterson, 6; John Norman, 7; Nicklowes Vencsen, 8; Pascoe Foote, 9; Robert Leach, 10; John Siblle, 11; Willam Bennet, 12; Thomas Millet, 13; Benjemen Parmeter, 14; Willam Allen, 15; Samuell Freind, 16. Copy made, Nov. 24, 1679, by Samuell Freind,† clerk of the selectmen.

Nicholas Vincent, aged about sixty-seven years, and Samuell Allin, aged about fifty years, deposed that Manchester had owned that land for twenty-eight years, etc. Sworn in court.

† Autograph.

Christopher Codner v. Tho. Tayner. Appeal from the judgment of Maj. Wm. Hathorne. Verdict for plaintiff, the former judgment reversed.*

Thomas Chub and wife Avise testified that they had a lot granted by the town at Kettle cove and lived in Manchester for seventeen or eighteen years and about a year before they removed from town, they sold the lot, etc. Sworn in court.

John Knighte and Robberte Knighte, jr., aged upward of sixteen years, deposed that they saw Samuell Leach and his servant carry away wood from their father's farm at Kettle cove, also William Allen cut hoop poles, etc. Sworn in court.

William Pow and John Abbot, aged upward of twenty-eight years, deposed that they received orders from Robert Knighte, sr., of Marblehead to fetch some wood from his farm at Kettle cove and they took some and put it into their ketch, etc. Sworn in court.

John Leach and Rachell Goulthite testified that in 1641 John Sible having a propriety in land at Kettle cove held it during his life, and ever since his son John had enjoyed it. Sworn in court.

Copy of the grant by the town of Gloucester to Mr. Blynman, 18 : 11 : 1643, made by Obadiah Bruen, recorder in the year 1643. Sworn, by Obodyah Bruine, June 18, 1679, at Nuarke, New Jarsie, before John Ward,† justis.

Charles Knighte, aged about thirty-five years, testified that about sixteen years ago he mowed grass at Kettle cove by order of his father, Robert Knight, etc. Sworn in court.

Edmond Bridges, aged about forty years, testified. Sworn in court.

William Beale, sr., aged upward of forty-nine years, testified. Sworn in court.

*Copy of the action, brought before Wm. Hathorne,† 17 : 9 : 1679, Tho. Tayner v. Christopher Codner, for pulling down his fence at the corner of his garden, with judgment for plaintiff. Appealed to the next Salem court, with John Clefford and Edward Bridges, as sureties.

Elias White and Robert Seueel, one aged fifty-five years, and the other aged thirty-six years, testified that Codner came into Tayner's house and said he had pulled down the fence, etc.

Summons, dated Nov. 12, 1679, to Christopher Codner, signed by Moses Maverick, for the court and the town of Marblehead.

Warrant, dated Nov. 7, 1679, for Codner's appearance, signed by Moses Maverick, for the court and the town of

† Autograph.

Thomas Walter, husband of Hanah, daughter of Robert Gray, deceased v. Nicholas Manning, husband of Elizabeth, relict and executrix of Robert Gray, deceased. Withdrawn.

Mary Gray, daughter of Robert Gray, deceased v. Nicholas Manning, husband of Elizabeth, relict and executrix of Robert Graye, deceased. Withdrawn.

Hannah Browne, relict and administratrix of James Brown, deceased v. Hanah Browne, relict and administratrix of John Browne, deceased. Forfeiture of a bond. Verdict for plaintiff.*

Marblehead, and served by Thomas Hawkins, constable of Marblehead.

Thomas Tayner's bill of cost, 12s.

Copy of deed, dated Mar. 22, 1671, given by Elias White, fisherman, of Marblehead, to Thomas Tayner, fisherman, of Marblehead, one-quarter of an acre of land in Marblehead, bounded north or about north and by east from Tayner's dwelling house and joined to the cartway. Wit: Henery Treevett, Johnathan Gatchell and John Gatchell, jr. Recorded in Salem records, book 3, folio 143, by Hilliard Veren,† recorder.

Christypher Codnor's† bill of cost, 1li. 9s. 9d.

Christopher Codner's reasons of appeal from the judgment of Major William Hathorne: that he did not have six days' notice of the action, and the constable's return was not dated. Received, Nov. 20, 1679, by Wm. Hathorne,† assistant.

Thomas Tayner's† answer to Codner's reasons of appeal: that it was too late for a nonsuit, and "he hath forgot his main Reason I humbly conseue that his cleyent waneth mony," etc.

John Gatchell, aged about sixty years, and Wibrough, his wife, aged about sixty-seven years, deposed on Nov. 22, 1679, that they saw their son Joseph Gatchell give to Thomas Gatchell and Jonathan Gatchell a legal summons to testify in a case between Thomas Disksey and their son Joseph.

*Writ, dated Oct. 16, 1679, signed by Hilliard Veren,† for the court and the town of Salem, and served by Henry Skerry,† marshal of Salem, by attachment of land toward the ferry in Salem, two brass kettles, great and small, great table, two small tables and a bed-spread.

Bond, dated Oct. 12, 1665, given by John Brown, jr.,† of Salam to James Browne of Salam, for 65li., half to be paid to Mr. John Sentle at Porter's Key in London for the use of Heu Hide in current money of England and half to Mr. Thomas

† Autograph.

‡ Autograph and seal.

John Norman v. John Adkinson. Verdict for defendant.

Mr. Jeremiah Hubbard v. Thomas Dorman and Judeth Dorman, his wife. Slander. Verdict for plaintiff.*

Dane of New England, with 25 per cent. advantage. Wit: John Phillips† and Thomas Lawrence.† Sworn by Phillips, 28 : 6 : 1678, before Anthony Stoddard,† commissioner, and by Thomas Lawrence, 9 : 9 : 1666, before Wm. Hathorne,† assistant. James Browne's† receipt, dated July 20, 1666, at John Hul's at Boston, for 11li. 5s. James Browne's† receipt, dated May 16, 1669, for 5li. 8s. James Browne's† receipt, dated July 15, 1672, land to the value of 5li.

*Writ, dated 19 : 9 : 1679, signed by Hilliard Veren,† for the court and clerk for the town of Salem, and served by Willi. Perkins,† constable of Topsfield.

Mr. Hubbard's bill of cost, 2li. 6s.

Sarah Wildes, aged about fifty years, deposed that having discourse with Judeth Dorman about three-quarters of a year before she joined the Church of their town, she asked deponent if there was not a place where it is said that Moses stood in the gap and wrath was stayed. Deponent answered that there was such a place. She replied that Mr. Hubbard had a Moses in his house, or else the wrath of God would fall on him. Deponent replied that many things were said about Mr. Hubbard which were not true. She replied that Mr. Hubbard was a sad man and if others knew as much as she did about him he would never have another member join the Church as long as he lived in Topsfield. Deponent replied that David, a man after God's own heart, fell and she answered that if we fall with David, we must rise with David. Later meeting with Judeth Dorman, deponent told her she heard that she was abusing Mr. Hubbard and that two persons had asked Mistress Hubbard about it, and the latter said that Judeth had only gone up to carry Mr. Hubbard's night cap, and went up and came down as fast as she could. Judeth said it was true, but he offered abuse, etc. Sworn, 26 : 9 : 1679, before Edm. Batter,† commissioner in Salem.

Sarah Goold, aged about thirty-eight years, deposed that she being at Mr. Jereme Hubbard's house at Topsfield heard Goody Dorman say that she should go to Salem the next day if it were fair weather, and the Sabbath day night following deponent being at Mr. Hubbard's again heard the latter ask Jude Dorman to come and watch with his wife another night and Judeth replied that she was willing to do any good she could for Mrs. Hubart. Mr. Hubart said they must go and ask Hephsebah what night, and the latter said she had pro-

† Autograph.

vided watchers for that night. John How being there went out and Mr. Hubart asked Judeth Dorman if he had gone away. She replied that he had not, but had only gone to fetch out his horse, and Mr. Hubert said he wished to speak a word or two with him. Goody Dorman went out and Mr. Hubbert followed. Sworn, 26: 9 : 1679, before Ed. Batter,* commissioner in Salem.

Mary Courties, wife of Zacheus Courties, jr., deposed that she lived at her brother Pery's house and Mrs. Simans, wife of Mr. William Simans, lived in one room of the same house. Mr. Hoberd often came to Mrs. Simans' room and stayed until late at night, and embraced her and talked lovingly to her, with their faces close together, and she would sit on his knee and he often stroked her face. Once on a lecture day Mrs. Simans tarried at home and killed one of her fowls, because she said Mr. Houbeard was coming that night, which he did and stayed late. Also on a Saturday night he tarried very late. Sworn, 24 : 9 : 1679, before Edm. Batter,* commissioner in Salem.

Hepsebeth Raye deposed that her sister Judah Dorman watched with Mrs. Hoberd one night and brought her tallow candles with her. Sworn, 25 : 9 : 1679, before Edm. Batter,* commissioner in Salem.

Samuell Howlett deposed concerning what Judeth Dorman told him happened one night when she watched with Mistress Hubberd. Sworn, Nov. 24, 1679, before Daniel Denison.*

John Cummings, aged about fifty years, deposed that being at Thomas Dorman's, his wife Judith told him that for all he was such a friend of Mr. Hubbard's and stood so much for him that if he knew as much of him as she did, he would not say so much. Deponent asked her what she knew that was so bad. She told him of several occasions when he had kissed her, called her a pretty woman and offered abuse, once when she went to rake the fire for the night, and once in his chamber where Mrs. Hubbard sent her to arrange his bed. His words were not fit to be spoken. She said she had told John How of his actions. Deponent told her that How was no good friend of Mr. Hubbard's and asked her why she had not told "som fitter parson to divulge a matter of such a rate to." She said it was true and she would stand to it till she died. Sworn, 26 : 9 : 1679, before Edm. Batter,* commissioner in Salem.

Wm. Howlett, aged twenty-nine years, deposed concerning what Judeth Dorman told him. Also that the second time she watched at Mr. Hubberd's she took a book and candle so that she might read, but Mr. Hubbard sat up late and told her that she would spoil her eyesight reading by candle-

* Autograph.

Capt. Nicholas Maning v. Resolved White and Abigail, his wife, executrix of the will of William Lord, deceased. Debt. Verdict for defendant. Appealed to the next Court of Assistants. Said Maning bound, with Lift. Jeremiah Neale and Edmond Bridges as sureties.*

light. She kept on, thinking that he would go to bed and leave her, etc. She put the candle on a joined stool in his chamber, etc. He spoke words to her that she was ashamed to repeat. Sworn, 26 : 9 : 1679, before Edm. Batter,† commissioner in Salem.

Mary Dorman, aged about twenty-six years, deposed as to what her sister Judith said to her. Sworn, Nov. 24, 1679, before Daniel Denison.†

*Writ, dated 20 : 9 : 1679, signed by Hilliard Veren,† for the court and town of Salem, and served by James Powllen,† constable of Salem, by attachment of marsh in the south field, a part of the broadfield and houses and land in the town near the meeting house in Salem, all belonging to defendant.

Nicolous Maning's bill of cost, 1li. 8s. 8d.

Receipt of William (his mark) Lord, sr., of Salem, dated July 19, 1669, to Nicholas Maning, gunsmith, for 10li., on account of the 15li. due for the broad field. Wit: Henry West.† Sworn in court.

Copy of receipt of Abigail (her mark) Lord, sr., of Salem, widow, to Mr. Nicholas Manning of Salem, gunsmith, for 50li., 10li. of which was in money, the rest in specie, in part pay for the broad field, which was received before Apr. 30, 1670; this was paid before the bill of 120li. was made and was no part of that. Wit: Abigail (her mark) Gray and Edward Norrice. Copy made by Hilliard Veren,† cleric.

Receipt, dated Oct. 20, 1674, of Abigail (her mark) Lord of Salem, widow, to Mr. Nicholas Manning of Salem, gunsmith, for 25li., in full for land bought of her husband William Lord, sr., in the south field, this being in discharge of another bill of the same which at present cannot be produced. Wit: Abigail (her mark) Gray and Edw. Norrice.† Owned in court.

Copy of papers in a similar action brought in Salem court, Nov., 1675.

Elizabeth Predist and Bethia Allen deposed that they heard Abigail Lord, alias White, say that she had received 44li. in money of Capt. Nicholas Manning, which he had received from Elder Brown, as the children's portions. Sworn also by Edmond Bridges and Capt. Floyd in court.

Samuel Gray, aged about twenty-eight years, deposed that Nicolas Manning and he, watching together one night with

† Autograph.

Mr. John Barton v. Nicholas Manning. Verdict for plaintiff.*

deponent's uncle William Lord, sr., in his sickness, said Manning told deponent that he gave 170li. for the broad field. He had paid 50li. in money, and for the remainder he was to pay 20li. a year. Sworn, 22 : 9 : 1679, before Edm. Batter,† commissioner in Salem.

Abigail Lord, Dr., to money pd. from July 19, 1669 to Feb. 3, 1675, 254li. 13s. 9d.; Cr., for the broad field, 123li.; for land in the south field, 25li.; total, 148li.

Abigaile Graye, aged about twenty-four years, testified that living in the house with her uncle William Lord, she was present at the bargain making, etc. Abigaile, wife of Resolved White, testified to the same. Sworn, 25 : 9 : 1679, before Edmund Batter,† commissioner in Salem.

Abigaile, wife of Resolved White, deposed that, when Manning had her sign the first receipt, he surprised her and she being a weak woman agreed to it. She asked to wait until a friend could see it, but he stopped her at the door and overpersuaded her, Mr. Norrice saying he would fix it, etc. Sworn, 25 : 9 : 1679, before Edm. Batter,† commissioner in Salem.

*Writ: Mr. John Barton, chirurgion v. Nicholas Manning; for non-payment of 2s. 6d. per head for all the passengers that came over in the ship Hannah and Elizabeth from England, Mr. Lott Gourding, commander, to the number of about forty-seven, according to agreement, with all just interest; dated 10 : 9 : 1679; signed by Hilliard Veren,† for the court and town of Salem; and served by James Powllen,† constable of Salem. Bond of Nicholas Manning.†

Jacob Manning testified that upon a falling out between Mr. Smith and Dr. Barton on the ship, Mr. Smith said he had given him half a crown for his head in Dartmouth and would not give him five shillings more for lying in his cabin. Sworn in court.

Mr. Lott Gourding, commander of the pink Hannah and Elizabeth, aged about thirty-two years, deposed that Capt. Nicholas Manning shipped John Barton as chirurgion, and he administered to several, especially to said Manning's servants, and served in that capacity from May 23 to Sept. 14. He was to have half a crown a head at the place where the passengers came on, as was customary throughout England. Sworn at Boston, Nov. 14, 1679, before John Richards,† commissioner.

Benjamin Rowlings, seaman, aged about twenty-eight years, deposed that Barton was to have his passage free, etc. Sworn at Boston, Nov. 14, 1679, before John Richards,† commissioner.

† Autograph.

John Calley, aged forty-nine years, deposed that he came over in the ship and about fourteen days after their arrival in Salem, he was with Dr. Barton at Abraham Cole's house in Salem, and told the Doctor that he would be willing to satisfy him for himself and son at the rate of half a crown if others did. Dr. Barton replied that whereas deponent did him a kindness in exchanging 20s. of old England money for New England money, that would satisfy him, and for his son, two or three pounds of tobacco would content him. Also that one George Martin said that Dr. Barton demanded 5s. for himself and wife and would have taken a feather pillow in lieu of it. Sworn in court.

John Barton's bill of cost, 1li. 19s. 4d.

Jacob Manning, aged eighteen years, and Anstice Manning testified that Dr. Barton lay on board the ship Hannah and Elizabeth of Boston, Lott Gorden, commander, about five or six weeks in Dartmouth and had his victuals upon Nicholas Manning's account all that time, and came from there a passenger to New England. Also he brought a great chest in the hold of the ship. Owned by defendant in court.

Lott Gourding, aged about thirty-two years, and Benjamin Rowlings, aged about twenty-eight years, seaman, deposed. The former sworn at Boston, Oct. 25, 1679, and the latter on Nov. 4, 1679, before John Richards,* commissioner.

Passengers that came in the ship Hannah and Elizabeth, Mr. Lott Gourding, master, Capt. Nicholas Manning, undertaker: Mrs. Anstice Manning, sr., Anstice Manning, jr., Margrett Manning, Sarah Manning, Jacob Manning, Thomas Manning, Elizabeth Walsh, Joane Brownestis, Margrett Willing, Annis Foord, Anne Killegrove, Margrett Bouey, Grace Stiver, Mary Peirce, Stephen Bickford, Robert Cane, Joseph Manning, Richard Oliver, Richard Thomas, Wm. Hutchings and his wife, George Martine and his wife, Mr. John Jackson and his wife, Clement Jackson, Sarah Jackson, Agnes Jackson, Mrs. Joane Deareing, Sarah Dearing, Joseph Dearing, Tho. Knollman, John Norway, James Tomling, Mr. Thomas Towsey, and his wife and child and servant boy, Moses Bearild, James Mudd, Richard Gourding, Mr. Aron Smith, Mr. John Cally, sr., John Cally, jr., Thomas Baker. The eight Jacksons were upon agreement between Capt. Manning and John Jackson, to have passage from Dartmouth to New England, on account of labor performed by said John Jackson. This list was sworn to by Capt. Gourding and Benjamin Rawlings in Boston, Nov. 4, 1679, before John Richards,* commissioner.

Medicines expended upon a voyage from Dartmouth to New England in the ship Hannah and Elizabeth, by John Barton, giving the names, maladies and medicines: May 27,

* Autograph.

Capt. Nicholas Maning v. John Barton. Verdict for defendant.*

Hen. Dawson, an Aching Humor, letting of blood, 1s.; Nath. Stanbury, pain in his head and teeth, 6 purging pills with Resin of Jallap, 2s., oil of Cloves & origanum for his teeth, 1s.; June 28, Rich. Gourding, Bit with a Dogg on ye wrist, Oyntments Emplaisters, Balsam for seaven dayes, 5s.; July 4, Robt. Canes, a Bruise upon his fingers with a chest in ye Hold, oyntments & Emplaisters for severall dayes, 2s.; July 10, Jos. Manning, A Broken shinn, severall Emplaisters, 1s.; Annis Foord, An Extream Cold, A diaphoristick Bolus, 1s.; July 12, Goodwif Martin, Naturall Obstructions & very faint, syrup of saffron, Gascons powder, 3s. 6d.; Annis Jackson, Stomachacall paine, syrup of saffron, 1s.; Rich. Gourding, A great Cold, swelling of ye Amigdalls & a feaver, An oyntment for his throat, 6d., A sweating Bolus, 1s., A potion of physicke, 1s. 6d.; 13, A Refrigerateing powder, 1s., a somnifarious Bolus, 1s., more oyntment, 6d., A pectoral syrup, 1s. 4d., A liquorish sticke, 2d., A pectorall Refrigerating Decoction, 2s.; July 14, Margrett Manning, paine in her head, Emplaisters for her temples, 1s.; July 15, Tho. Knollman, Blistered his hand & fingers, Emplaisters & oyntment, 1s.; Annis Jackson, a suppository, 6d.; July 16, Anne Killigrove, a suppository, 6d., purging pills, 3s. 6d.; Annis Jackson, purging pills, 2s.; Mary Peirce, cutt finger, Emplaisters, 6d.; Nath. Stanbury, bruised finger, Emplaisters Unguents, 1s.; July 21, Ben. Threenedles, a Roosty naile in his hand, Emplaisters, 1s.; Mr. Tom. Towsey, paine in his head & swelling of ye Amigdalls, a suppository, 6d., a Sweating Bolus, 1s., July 22, An Oyntment for his throat, 6d., A suppository, 6d., 6 purging pills, 1s. 6d.; July 22, Goodwife Hutchins, Toothache, oile of Cloves, 6d., Blistring Emplaisters, 1s.; July 23, oile of Cloves, 6d., Emplaisters for her Temples, 6d.; Goodman Hutchins, much troubled with flemge, A pectoral syrup, 1s.; July 29, Stephen Bickford, worms, purging pills with Mercurias duleis, 1s., flower of Brimston, 6d.; July 31, Mr. Gourding, Broken hands & fingers, Emplaisters, 1s.; Margrett Bouy, cutt & Bruise in her nose & Eyebrow, Emplaisters & Balsams for 6 dayes, 6s.; Aug. 4, An Killigrove, Histericall vapors, suppository, 6d., A compound Clyster with Histericall Carmanitius suds, 2s. 6d., an Histericall bolus, 1s. 6d., A stomachicall Emplaister, 1s.; Aug. 8, Joan Brownstist, Hysterical fitts, spiritt of castor oile of Amber severall times, 3s.; Tho. Knollman, a cold & feaver, A Diaphoretic bolus, 1s. 6d., A somniferous Julap, 1s.; Aug. 10, both ye same againe, 2s. 6d. total, 3li. 5s.

*Capt. Nicholas Manning v. Mr. John Barton; for with-

William Pinson v. Walter Munjoy. Verdict for defendant.*

holding about eight pounds in money, due for his passage and freight from England, and for diet while in England; dated, 20 : 9 : 1679; signed by Hilliard Veren,† for the court and the town of Salem; and served by James Powllen,† constable of Salem, by attachment of Dr. Barton's land on the south side of John Sanders' garden in Salem.

John Barton's bill of cost, 7s. 8d.

*Writ: William Pinson v. Walter Munjoy; for withholding an account of his part or share in a fishing voyage made in 1677, Gilbert Peeters being master, and defendant being a shoreman and as shoreman weighed and delivered the fish; dated 18 : 9 : 1679; signed by Hilliard Veren,† for the court and town of Salem; and served by Peter Cheever,† constable of Salem. Bond of Walter (his mark) Mongy, with Edmond Bridges† and Peter Miller† as sureties.

William Pinson's bill of cost, 1li. 2s.

William Penson's† receipt to Walter Mountjoy, dated Salem, 12 mo. 1677, for five quintals and a half of refuse cod fish at 10s. per quintal, on account of Gilbert Peters.

"Walter Munjoy Delever to Rob^t Kitchen fower quintall of Refuse fish, hake & pollock, for your freind William Penson.† Nouemb : 9 : 1677." Receipt, dated Nov. 9, 1677, signed by Ro: Kitchen.†

Nathaniell Sharpe of Salem, mariner, aged about thirty-three years, deposed that he heard William Pinsent sell to Gilbert Peeters, master of the ketch Leusy, that part of the fishing voyage which belonged to him, either by his own labor or by hired men, for 17li. 10s. in fish at price current. Sworn, 11 : 6 : 1678, before Wm. Hathorne,† assistant. Owned in court.

Richard Flandor, aged forty years, deposed that he had been employed on fishing accounts in Salem for many years and had been a shoreman. It has been a general custom for the shoreman to take charge of what fish was committed to him by the ketch's company to which he belongs, also to weigh out and deliver to every man or his order his proper part. Sworn in court.

Jno. Lee, aged about thirty-four years, deposed that speaking with Gillbert Peeters concerning Wallter Munjoy's withholding fish from Pinson, Peeters said that Monjoy, as shoreman, had done Peeters great wrong, and if he told what he knew that Pinson would sue Monjoy. Sworn in court.

Nathaniell Sharpe, aged thirty-five years, and Charles Knight, aged about thirty-five years, deposed that they and Gilburd Peeters, Jno. Tapley and William Pinson shipped

† Autograph.

Isaack Woodbery v. Roger Rose. Verdict for defendant. Agreed, and judgment satisfied.*

in Mr. Jno. Curwen's ketch called the Lewse in Jan., 1676, and agreed with Wallter Monjoy to make and weigh the fish as their shoreman. Sometime in February they went out to sea to make the first fare and before they came home William Pinson was taken lame in one of his hands, being unable to go out for the second fare. Pinson then hired Pascoe Foot to take his place and he was accepted by the whole company and did his work well. For the third fare, Pinson shipped William Nouell, who also was acceptable to the company. Each man's share for the three fares was to the value of twenty-five pounds, as Walter Munjoy informed them. Deponents had been engaged in this employment for seven or eight years. Sworn in court.

Thomas Robens, aged about sixty-two years, and Jno. Whafen, aged about fifty-two years, deposed that Peeters bought Pinson's share in the voyage for 17li. 10s. after Pinson's hand was disabled and gave him a bill, but afterward Peeters told him that he might have the fish and the bill was declared null and void. Sworn in court.

Walt. Mungoy, aged about forty-six years, testified that being shoreman to Gilbertt Peters and company in 1677, he paid for him in fish to Wm. Pincent or order and to Cap. Jno. Corwine for his account 15li. 10s. 6d. Sworn, Sept. 20, 1678, before William Browne,† commissioner. Owned in court.

Thomas Jeggells, sr., aged about fifty-seven years, deposed that for thirty years past he had been engaged in fishing in Salem, and as a shoreman. Sworn in court.

John Taply, aged about forty years, testified concerning the sale of the fish to Gilbord Peters. Sworn, Aug. 7, 1678, before William Browne,† commissioner. Owned in court.

*Writ: Isaack Woodbery v. Roger Rose; for not returning Edward Alfrey, servant of said Woodbery, according to promise made to the constable of Pascattaque, which servant said Rose carried away from Salem to Pascattawaye without knowledge of his master; dated 7 : 8 : 1679; signed by Hilliard Veren,† for the court and for the town of Salem; and served by James Powllen,† constable of Salem. Bond of Roger Rose,† with Dom. White† as surety.

Rodger Rose's bill of cost, 3li. 14s.

Warrant, dated 19 : 6 : 1679, to the constables of Salisbury, Hamton, Exeter, Dover and Porshmoth, for the apprehension of Edward Alfry, servant of Isaac Woodbury, who broke open a closet door and stole four or five pounds, "he is about 20 years of age, a midle stature, shorne curld black hair, a short

† Autograph.

darke Jacket," he went away in Roger Rose's boat, etc., signed by Wm. Hathorne,* assistant.

Warrant, dated Portsmouth, Aug. 21, 1679, to Rodger Rose to carry back Edward Alfry to Salem whence he brought him and deliver him to the next authority, signed by Richard Martyn,* commissioner.

Jo. Woodbridge,* commissioner, on Oct. 6, 1679, ordered the constable of Newberry to assist Edward Alfry with what help he needed and his master would pay the charge.

William Hathorne,* assistant, ordered the keeper of the Salem goal, 6 : 8 : 1679, to take Edward Alfry into his custody.

Letter of attorney, dated Nov. 6, 1679, given by Isaac Woodbery† of Salem to Mr. John Clifford of Salem. Wit: Richard Stower* and Edmond Bridges.* Sworn before William Browne,* commissioner.

George Deane, aged about forty years, deposed that being at Pascataque river mouth about three months ago Roger Rose of Boston came on board the vessel of which he was master, informing him that he had a young man aboard of his vessel who was put aboard as a runaway by the authority of Pascataque. Rose asked deponent to take him, as deponent belonged to Salem, but he would not unless he were delivered by authority. Sworn, 27 : 9 : 1679, before Ed. Batter,* commissioner in Salem.

Tho. Hayward, aged about twenty-six years, deposed that he being a passenger with Rodger Rose at Salem when he was bound for Pescataqua, two men came aboard when he was under sail. They were called William Craift and Edward Albry. Rose doubted his right to take Albry for he thought he might be someone's servant, but Craift, the joiner, declared that he was no man's servant. Sworn, 24 : 7 : 1679, before Edward Tyng.*

John Grafton, aged about fifteen years, testified that he being on board his master, Roger Rose's, vessel, the two men came on board. His master was in his cabin and came out and asked them what they were. Alfry replied that he was a seaman and no man's servant. Rose said if he was a servant he could not carry him. This discourse was when they were outside of Winter Island in Salem. Sworn, Nov. 11, 1679, before Edward Tyng,* assistant.

Steph. Griggs, aged about forty years, and Fran. Grant, aged about forty-two years, deposed that in Alfrey's absence they caught 8,000 fish, of which if he had been with them he would have had his share. Sworn, Nov. 11, 1679, before William Browne,* commissioner.

Nicolus Maning, Samuell Beadal, and Edmond Bridges testified that they heard Rose say that the men came on board

* Autograph.

† Autograph and seal.

Capt. Nicholas Maning v. Thomas Walter and Hanna, his wife, formerly the daughter of Robert Gray, deceased. Withdrawn.*

Mr. Tho. Woodbridg v. Capt. Nicholas Page. Debt. Withdrawn.

Tho. Ieves v. John Chubb. Verdict for plaintiff.†

the vessel between Winter Island and Backar's Island. They brought some pork and some clothes, and at Puscattaque, Alfry was seized by a hue and cry and given by authority to Rose to return to Salem, but Rose confessed that he carried him to Salsberry, where he took a freight of hay to Pascataque again, leaving the runaway with one Mr. Huck of Salsberry. He delivered his hay and sailed for Boston, thence to Newbery, where he accidentally spied said Alfry aboard of Doil's ketch. Sworn, Oct. 13, 1679, before William Browne,† commissioner.

*Writ, dated 20 : 9 : 1679, signed by Hilliard Veren,† for the court and the town of Salem, and served by James Powllen,† constable of Salem. Bond of John Rogers† of Salem and Thomas Walter.†

†Writ: Thomas Ives v. John Chubb; for making use of a boat of plaintiff's contrary to order and leaving her carelessly; dated 3 : 8 : 1679; signed by Hilliard Veren,† for the court and town of Salem; and served by John Williams,† deputy for and son-in-law of Henery Skery,† marshal of Salem.

Thomas Ives's bill of cost, 4li. 6s. 4d.

Thomas Woodbury, aged about forty years, and Jeremiah Neale, aged about thirty-four years, deposed that being at Capt. More's the latter end of last summer with Thomas Ives and John Chubb, the latter said that Ives did not let him the boat for any certain time. Sworn in court.

Jonathan Pickerell, aged forty years, and David Phipeny, aged thirty years, appraised the damage to the boat which had been left bulged on the east side of Thomas Woodbury's point, not a fit place to leave a boat, at 7li., one-half in silver. Sworn in court.

George Jacobs, jr., aged thirty years, deposed that some time before the boat was bulged or staved, Ives told Chubb to bring her home and he would fit her with such necessities as needed. Sworn, 25 : 9 : 1679, before Wm. Hathorne,† assistant.

John Sampson, aged about fifty-three years, deposed that he was chosen as an arbitrator and met with Mr. Velle and Mr. Ives of the other side. Ives owned that he let the boat to Chub and the latter had made several freights in her. De-

† Autograph.

ponent, not having an opportunity to speak, refused to arbitrate with them. Mr. Velle desired him to meet him at Goody Stoon's but deponent was not very well and little was done. Then Ives served the attachment on Chubb before the time for the arbitration had expired. Deponent and his wife Sarah testified that Chub chose Mr. Batter as his man but Ives objected saying that Mr. Batter was "a very pashonat man" and not fit to meddle with the case. Also when Ives was carrying Chub to prison, some said "doe not cary him to prison, make an end of it." Ives replied "I will make an end of him quickly," so, having no money upon him, he put him in prison where he suffered much. Sworn, 26 : 9 : 1679, before Wm. Hathorne,* assistant.

Avis Chubb and Susana Hall deposed that the last freight that Chubb took was to Marvell Head, and while he was gone Ives came to their house and asked for him, saying that he would have him bring home the boat, and he would have her fitted with a new pump and a new rode† and other things she needed. They told him that they thought Chubb was bound to the Creek and would not be home until he had been there, because he had to fetch a freight of boards for one of his owners. Mr. Ives said it was well enough, for it was for Mr. William Browne, but he said he did not want Chick to go with him any more and if he did he would take the boat from him, unless he got another mate. When they told John, he said he would not displease his owner, whereupon he turned away his mate Thomas Chick. As soon as he came ashore, that the boat might not lie unoccupied in the river, his brother Thomas went with him to Marvell Head and to Mackrell Cove. Sworn, 26 : 9 : 1679, before Wm. Hathorne,* assistant.

Samuell Harriss deposed that he was with Thomas Chub at Thomas Ives' house and he and Benjamin Small were witnesses to a bond of arbitration. Also he heard Mr. Ives say that he accepted Mr. Edmund Batter and Mr. Thomas Gardiner as arbitrators, Mr. Batter being chosen by Thomas Chubb, sr., and his son John Chubb, and Mr. Gardiner by Mr. Ives. Sworn, 27 : 9 : 1679, before Ed. Batter,* commissioner in Salem.

William Chub deposed that he went down with his brother Thomas to see the boat which his brother John brought in and found the cable dealt a considerable distance from the vessel's stem, without board, and the end of the cable was fastened to the main mast and the boat was a small open boat without accommodations for men to lodge. Thomas Chubb deposed the same. Sworn, 27 : 9 : 1679, before Ed. Batter,* commissioner in Salem.

Benjamin Small, aged about thirty years, and Joseph

* Autograph.

† A rope attached to a boat anchor.

Nicholas Maning v. Mary Gray, daughter of Robt. Gray, deceased. Withdrawn.*

Capt. Richard More v. Wm. Dodg, jr. and Tho. Tuck, sr. Verdict for plaintiff.†

Kembal, aged about eighteen years, deposed. Sworn in court.

Thomas Woodbury, aged about forty years, deposed that the boat lay on the back side of his point several days before the storm came, etc. Sworn, 2 : 8 : 1679, before Edm. Batter, ‡ commissioner in Salem.

Geo. Jacobs, jr., deposed that he sold this boat to Thomas Ives some time this summer. Sworn in court.

Tho. Chubb, sr., ‡ aged about seventy years, deposed. Tho. Chubb, jr., ‡ also deposed. Sworn, 27 : 9 : 1679, before Ed. Batter, ‡ commissioner in Salem.

*Writ, dated 20 : 9 : 1679, for ten years' maintenance, in food, raiment and learning, signed by Hilliard Veren, ‡ for the court and the town of Salem, and served by James Powllen, ‡ constable of Salem. Bond of John Preist ‡ of Salem, seaman, with John Attwater ‡ as witness.

†Writ: Capt. Richard More v. William Dodge, jr., and Thomas Tuck, sr.; for illegally taking away a bell from plaintiff without his consent, which bell hangs in Beverly meeting house; dated 18 : 9 : 1679; signed by Hilliard Veren, ‡ for the court and the town of Salem; and served by Henry Skerry, ‡ marshal of Salem, by attachment of the house and land of Thomas Tuck, and a table and chest of William Dodge, jr.

Richard More's bill of cost, 2li. 12s. 8d.

Henery Kenny, aged about fifty-five years, testified that he was a soldier under Major Sedgwick about twenty-five years ago, at the taking of St. John's from the French and heard Capt. Lawthrop ask the General to give him a bell, which the General promised to do. Sworn in court.

Henry Skerry, marshal, deposed that when he served the attachment, Thomas Tuck told him that he and some others took the bell out of Capt. Richard More's yard.

Mr. Jeremy Hubbard of Topsfield deposed that he had heard divers times Thom. Tuck say that he and Thomas Picton took the bell. This was when deponent was minister at Bass river, now Beverly. Sworn in court.

Capt. William Dixey deposed that soon after the taking of the forts, Capt. Lawthrop signified by letter to them that he had procured a bell for their meeting-house and had sent it home by Capt. More. He, with others, went to Capt. More who asked if they had a bill of lading or an order from the

‡ Autograph.

General. They not having either, he refused to let them have it. Sworn in court.

Capt. William Dixcy, aged seventy-two years, testified that soon after the return of Major Sedgwick from St. John's and Port Royall, the latter, with Major Leverett, being in company on a journey from the eastward to Boston happened to come into deponent's house. They sat down and discoursed there a while and among other things Major Leverett asked "mee what our towns name was. I answered him that wee weer no town as yet: then sayd hee you may do well to lett Major Sedgwick haue the hono^r of nameing the town when it is made a town for he hath giuen Captain Lawthrop a bell for your place and this to the best of my Remembrance was before wee had any notice giuen us of it any other way." Sworn in court.

Joshua Hobart certified at Boston, Oct. 18, 1679, that he, living at Bass river when the French forts were, by Major Robert Sedgwick, reduced to English obedience, there was a bell at Capt. Richard More's of the spoils, and which in his absence was taken away, etc. Wit: Joshua Hobart* and Isaac Pepper.* Sworn, Oct. 18, 1679, before Joshua Hobart,* commissioner.

Jeremy Hobart* testified to the same, 25 : 9 : 1679, before Edm. Batter,* commissioner in Salem.

John Dodge, jr., aged about forty years, and Nathaniel Hayward, aged about thirty-seven years, deposed that being in company with Capt. More about two years ago he told them that the bell which is at Beverly was for Capt. Lowthrop but, said More, "you beuerly men did steal y^e bell in y^t you took y^e bell without order when I was not at home." Sworn in court.

Nathaniell Sharpe, aged about thirty-five years, deposed that he saw some Beverly men take the bell out of More's yard and Thomas Tuck and Thomas Pigdon were two of them. Joshua Ward affirmed the same. Sworn in court.

Georg Stanly, aged about forty-four years, testified that about the time that Salem new meeting house was built, "I being in company with Captain Lawthrop, Cap^t More and Capt. Joseph Gardner at Capt. Gardners hous I heard Capt. Gardner say to Captain Lawthrop I think said he wee must haue your Bell for our meeting hous is bigger than yours and your bell is bigger than ours I think wee may doe well to change bells. Captain Lawthrop Replied hee knew no need of that our bell said hee is very well where it is. the bell was giuen to mee for the place where now it is: Captain More answered him that allthoughe the bell weere giuen to you yet said hee I dont know but I might haue kept the bell as well as you for I brought it home and I neuer gaue a bill of lading for it neither

* Autograph.

The committee for Salem meeting house, Capt. Geo. Corwin, Mr. Ed. Batter, Mr. John Corwin and Mr. Wm. Browne, jr., in behalf of the town of Salem v. John Fisk, sr., carpenter. Withdrawn.*

Mr. John Lee acknowledged judgment to Mr. Joseph Grafton.

Richard Kimball acknowledged judgment to Mr. Phillip Cromwell.

Joseph Mayo acknowledged judgment to the marshal, Henry Skerry.

Mr. John Gifford v. Mr. Robert Lord, marshal. Verdict for defendant. Appealed to the next Court of Assistants. Said Gifford bound, with George Booth and James Barnard as sureties.†

was I euer paid for the freight of it. Captain Lawthrop answered Captain More that hee might haue kept such and such things naming seuerall things as well as the bell for I had no more bill of lading to show for them said hee then for the Bell: Come Come said Captain Mor let us drink up our wine and say no more of it I suppose wee shall neuer trouble you for none of them." Sworn in court.

Anthony Needam, aged about forty-eight years, deposed that he was a soldier under Major Sedgwick and heard Capt. Lawthrop ask for a bell for the new meeting house in the plantation where he dwelt. Deponent heard Capt. Lawthrop ask again at Port Royal when Major Sedgwick was standing in the fort and he gave him the bell in the friary, deponent and Capt. Lawthrop throwing it down to the ground. Then deponent and others took it down to Capt. Moor's ketch to ship home. Sworn in court.

John Floyd testified that he was at the taking of the French forts, etc. Sworn in court.

*Writ, dated 19 : 9 : 1679, for not performing a contract, dated Jan. 22, 1673, signed by Hilliard Veren,† for the court and the town of Salem, and served by Henry Skerry,‡ marshal of Salem, by attachment of house and land of defendant.

†Writ, dated Boston, Nov. 15, 1679, signed by Nath. Barnes,‡ for the court and the town of Boston, and served by Theophilus Wilson,‡ constable of Ipswich.

Marshal Robert Lord's bill of cost, 17s.

John Giffard's bill of cost, 1li. 10s. 6d.

John Gifford's‡ account of goods not yet delivered to him by Marshal Lord: 3 swine of two years old, 4li. 10s.; silk,

‡ Autograph.

7s.; 8 lether chaires, cost me 10s. each, 4li.; 7 glasses, 3s. 6d.; total, 9li. 6d.

John Wait, aged about thirty years, deposed that he was at the appraisment of John Giffard's estate when Marshal Lord extended the execution for Thomas Walter and was one of the appraisers by an act of the General Court at Boston to order Marshal Lord to give said Giffard's estate back to him, and saw it done. Sworn, Nov. 25, 1679, before Daniel Denison.* Affirmed in court by Marshal Lord.

John Giffard's* bill of cost in the action brought against him by Thomas Walter at Ipswich court, 1679. Mr. Addington, Mr. Howard, Mr. Medlicot, Mr. Purchass, Jno. Andrews, Capt. Beedon and George Booth mentioned.

At a General Court held at Boston May 28, 1679, in the case of John Giffard v. Thomas Walter, attorney of Jno. Wright, Esq., it was found that the cause was grounded upon the copy of a bond, the original of which remained in England uncanceled, and they reversed the judgment of Ipswich court. Ordered that Giffard's estate be released, etc. Copy made by Edw. Rawson,* secretary.

Copy of papers in this action brought, Apr. 15, 1679, in Ipswich court.

Copy of execution, dated Apr. 5, 1679, against Mr. John Giffard to satisfy judgment granted Thomas Walter and Mr. Richard Midlecot, attorney for John Wright, John Williams, Katherin Eaton and John Dodsworth, signed by Robert Lord,* for the court, and served by Robert Lord,* marshal of Ipswich. Mr. Giffard chose Capt. Swaine, the marshal chose Thomas Newhall and Mr. Walter chose John Waite. Copy made by Edward Rawson,* secretary.

Appraisment of Mr. Giffard's estate, by John Wayte and Thomas Newhall: house where the potter lived, 25li.; one great chair, 10s., one Iron pott, 40s.; the old housing about the furnace with all the old Iron and lumber, 15li.; land as in the deed to Rich. Comb, Knt., John Wright, Francis Allen, Jno. Godfry, Jno. Williams, John Eaton and Ezekiel Fogg, 130li.; in the leanto, two matts, two bedsteds, 8s.; in the studdy, a cabbinet of boxes & a chaire and cushin & a citterne, 1li. 7s.; seven glasses, 3s.; a glass Case, 6d.; table & an old chest, 14s.; one Andiron & a peete, 10s.; two chaires and a churne, 4s.; one tramell, 3s.; three smale swine, 1li.; dwelling house & orchard, 70li.; also 6 chaires at 6s.; two chaires, 12s.; total, 266li. 19s. 6d. Copy made by Robert Lord,* cleric.

Appraisment of the goods in the house of John Giffard, by Clement Coldum and John Wayte, jr., Apr. 18, 1679: trunke, 6s.; 1 box & drawer, 6s.; 1 pt. of an old cloake, 5s.; 1 silver dram cup, 2s. 6d.; 2 sheets, 3 napkins, 1 shirt,

* Autograph.

Ann Neale, relict of John Neale, deceased, was appointed administratrix of his estate, and was ordered to bring in an inventory to the next court. She was bound, with Jeremiah Neale and Andrew Mansfeild as sureties.

John Whitteer chose Tho. West as his guardian and the court allowed it.

Thomas Watkins and Elizabeth, his wife, were fined for fornication.

John Norman was appointed administrator of his mother's estate and was ordered to bring in an inventory to the next court.

John Guppy, for excessive drinking, was fined.

Robt. Bradford was sworn constable for Beverly.

William Hascall acknowledged judgment to Mr. Edmond Batter.

John Bread, son of John Bread, chose Tho. Newall and John Putnam to be his guardians, and the court allowed it.

John Chub acknowledged judgment to Ciprian Stevens.

Thomas Parler and his wife were fined for fornication.

Thomas Maule, presented for receiving stolen goods, was dismissed.

Roger Rose, for sailing out of a harbor on a Lord's day, at Gloster, was fined.

John Rayment, for uncivil carriage to Hanah Goldsmith, was fined. Jacob Pudeater and his wife were allowed costs.*

all old, 10s.; 9 trenchers, 1s.; 5 paire of Gloves, 1li.; 3 old cushins, 3s.; 2 flocken beds, 15s.; 1 Rugg, 1li.; 1 blanket, 8s.; 1 Coate of Armes, 8s.; 1 parcell of woole, black and white, 2s. 6d.; silke neckcloth, 7s.; 1 box with clasps and rings, 6s.; 1 old bedstead, 4s.; total, 9li. 8s. 6d. Copy made by Robert Lord,† cleric.

*Warrant, dated 13 : 8 : 1679, for the appearance of John Raymond, jr., signed by Hilliard Veren,† cleric, and served by John Sampson,† constable of Beverly, deputy for Henry Skerry,† marshal of Salem, by attachment of the dwelling house of defendant.

John Abbe, sr., deposed as to what Hannah Gouldsmith told him, etc.

Jacob Pudetur and his wife were paid 6s. for witness fees. They deposed that being in their orchard near Jerromy Neel's house, they saw John Rayment, jr., and a maid coming from

† Autograph.

Sarah Needham appearing to answer for suspicion of fornication, her father Walter Fairefeild was bound for her appearance at the next Ipswich court. Thomas Farr was to prepare the proof in the case.*

George Wyatt, for suspicion of uncleanness with Rebecka Outon, who charged him with being the father of her child, was sentenced to pay 3s. or one bushel of corn per week and she was to be whipped when the commissioners of Salem call her forth or pay a fine.

The selectmen of Salem securing the town of Beverly from the charge of Sarah Lambert, Beverly was not to molest the party that had her in keeping.

Mr. William Browne, sr., Mr. Edmond Batter and Mr. Bartholmew Gedney, chosen commissioners of Salem, were sworn.

Mr. Daniell King, Nicholas Maning and Edmond Bridges, presented for wearing periwigs, were convicted and admonished.

Ann, relict of William Lake, who died intestate, was appointed administratrix of his estate and was ordered to bring in an inventory to the next Salem court. The house she dwells in, with all the land adjoining, was bound as security.

John Browne, son of John Browne, deceased, chose John Browne, his grandfather, as his guardian.

Jacob Preston being cast away at sea, administration upon his estate was granted to John Preston, who was ordered to bring in an inventory to the next Salem court.

Whereas there was a judgment obtained by Samll. Pearce against Steven Haskett at the last Ipswich court, said Stephen

the north ferry, who turned in by said Neal's barn, etc. Sworn in court.

*Warrant, dated Sept. 3, 1679, for the appearance of Sarah Needham and Phillip Parsons, also for Samuella Apleton, jr., Thomas Gatchell and Joseph Gatchell as witnesses, signed by Hilliard Veren,† for the court, and served by Henry Skerry,† marshal of Salem. Bond of Phi. Parson,† with Richard Normand,† as surety.

Bond, dated Nov. 14, 1679, given by Daniell (his mark) Kilam, jr., husbandman, of Ipswich, for appearance of Sarah Nedham at the next Salem court.

† Autograph.

being then out of the patten, court ordered that execution be respitted until the next Salem court.

Mr. Richard Croad had his former license renewed and had further liberty to draw strongwater.

Whereas the selectmen of Andever have rated Henry Wormwood for ten country rates which came out in 1676 and it appearing by certificate that he was then an inhabitant of Linn and there rated, court ordered that the selectmen of Andever take advice of the court that it was an error and not to levy it but to inform the treasurer of the mistake.

Joseph Mayo was to pay 30d. per week to Abraham Adams, attorney to Hana. Adams, until the court took further order.*

Samll. Lowell and Sarah Stickney, for committing fornication, were fined and ordered to pay the constable, Joseph Pike.†

*On May 22, 1679, Henry Short complained against Joseph Mayo for fornication with his sister Sarah Short and gave bond to prosecute at Salem court, but on June 9, 1679, he withdrew his complaint because Mayo had married her.

†On June 9, 1679, Sam. Lowle gave bond for appearance in the complaint made by Sarah Stickney, with Richard Lowle and Richard Dole as sureties, before Jo. Woodbridge,‡ commissioner.

Warrant, dated Nov. 25, 1679, for the appearance of Samuel Lowle of Newberry, signed by Jo. Woodbridge,‡ commissioner, and served by Joseph Pike,‡ constable of Newberry, who left said Samuel in the custody of his father Richard Lowle.

Joshua Mors, aged twenty-three years, testified that his sister Sarah Stickne told him that she had been troubled with Samuel Loule's coming to her house at unseasonable times, that he would break open her door, etc., and she had cried out but could get no help, whereupon deponent offered to lodge there and if he came again he would be a witness and they could bring it before authority. The last Lord's day night he stayed there and at about two or three o'clock, said Loule came through two back doors. When his sister cried out, deponent went as fast as he could and asking Loule what his business was there, he said nothing, and deponent laid his hands on him to bring him to authority. He got away from him but deponent secured one of his shoes. Lowle asked deponent to say nothing about it, as they had been friends formerly, and he would give him a pint of wine. Sworn, Nov. 29, 1679.

‡ Autograph.

Willm. Longfellow, aged about twenty-eight years, deposed that after the last Salem court Joshua Moss came to his house and he asked Moss why he would be Samuell Lowell's "pimpe" to wait upon him, etc. Sworn, May 13, 1679, before Jo. Woodbridge,* commissioner.

Ann Webster, aged about forty years, testified that the widow Stickney sent for her to come to her house and she told her of her condition, and of what happened when Tho. Stevens came with Samuell Lowle. The latter had promised to marry her, etc. Sworn, May 13, 1679, before Jo. Woodbridge,* commissioner.

Sarah Halle, aged about forty-three years, testified that about the time the ship went away and the rumor was about Lowle and the widow Stickney, she met the latter at John Mighill's, etc. Sworn, May 13, 1679, before Jo. Woodbridge,* commissioner.

Joseph Pike, constable of Newbery, deposed that the widow Stickney's father would not consent to her marrying Lowle, etc. Sworn, Nov. 24, 1679, before Jo. Woodbridge,* commissioner.

Nathanell Clarke testified that he saw Lowle and Sarah Stickney standing together, merry in discourse, and she invited Lowle to her house that night. This was on a public day and deponent wondered at their familiarity. Sworn, May 8, 1679, before Jo. Woodbridge,* commissioner.

Sarah Stickney, aged about thirty-five years, testified that the first time that Sam. Lowell came to her house he brought Tho. Stevens and a pint of liquor and his errand was that she should send for James Smith's servant maid to be with them which he refused to do. They drank their liquors until Stevens fell asleep. She tried to get rid of them, but they would not go and being ill she left them and went to bed. Her four children were in bed with her. When Lowle left, he could hardly awaken Stevens, who was asleep in the chimney corner. Another night when he came, someone from Rowleigh was in the house with her, etc.

Examination of Samuel Lowle, taken May 13, 1679: that Sarah had invited him often and asked him to bring others, and left the back door open that he might come in; that she offered to give him part of a goose to eat and promised him two geese to carry to sea with him, and told him not to fail her as he had other times when she invited him; he denied that he was ever at her house more than three times in his life; one time when he knocked at the door and asked for the goose, she told him that her brother Joseph and his wife were there and they had eaten it and had promised the other geese to another; she invited him to sit down by

* Autograph.

Remember, the daughter of Benjamin Felton, was complained of for fornication, Phillip Veren being charged with being the father of the child. He had made his escape and she had lately returned to Salem with her child. The selectmen, fearing they would be a burden to the town, requested the court to take the matter into consideration which they did and agreed to proceed further at the next court.

John Tapley had his license renewed for the ensuing year which he first obtained at court, 9 mo. 1678.

Capt. Tho. Marshall,* Mr. Riddan, Ellenor Hollingworth,

the fire and she would get him some cider, which he did, pulling off his shoes as he was wet with the snow; then Joshua Morse came out and Lowle was forced to go home without one shoe, etc.

Tho. Stevens, aged about twenty-eight years, deposed that he took a pint of liquors to the house, and Sarah asked Lowle to write a publishment of the intentions, and was more earnest than he was about it. Lowle did so to satisfy her, but it was not a legal publishment, and gave it to deponent to set up. He and Lowle went away and parted at about Dan. Lunt's house.

Samuel Storer, aged about twenty-four years, deposed that the night that Steevens came from the widow Stickney's house, he came on board sometime before midnight and lodged with him, and was not drunk. Sworn, May 1, 1679, before Jo. Woodbridge,† commissioner.

John Mighill, aged about forty-four years, deposed that the widow Stickney being at his house just after her husband had died, and Sam. Lowle and some other seamen being there also, he saw her very jocund and merry, sitting in their laps, etc., which actions deponent thought was just cause for complaint to authority, so he complained to Nath. Brickett. He also thought that her brother Joshua did wrong in bringing her thither and leaving her alone to carry herself so lightly so soon after her husband's death. Sworn, May 6, 1679, before Jo. Woodbridge,† commissioner.

James Mireck, aged about twenty-seven years, testified that Sarah denied all the rumors to him, and said that she would not have complained of Lowle, had it not been for her brother. Sworn, May 2, 1679, before Jo. Woodbridge,† commissioner.

*Approbation, dated 11:9:1679, of the selectmen of Lyn, Thomas Laughton,† Rich. Walker,† John Fuller,† Ralph

† Autograph.

Mrs. Hathorne of Linn,* Mr. Daniell King and Mr. John Gedney had their former licenses renewed for keeping ordinary.

Richard Knott, John Legg, Mr. Ed. Batter, Capt. Geo. Corwin, Capt. Price, Mr. Wm. Browne, sr., Mr. John Hathorne, Mr. Bartholmew Gedney, Mr. John Ruck, Ambross Gale and Mr. John Turner had their former licenses renewed for retailing strong waters.

Sergt. John Clifford had license granted him to keep a victualing house in the time of weighing fish.

Edmund Batter and Wm. Bouditch, appointed by the court to inquire into the debts of William Hollingworth, deceased, and apportion the amounts as far as the estate would go, reported on Nov. 25, 1679, as follows: to Mr. Hayman of Charles Towne, 23li.; to Mr. Edward Grove, 5li. 11s.; to Mr. Edward Norrice, 1li. 10s.; total, 30li. 1s.†

Tho. Oliver dying intestate, Bridget, the relict, was appointed administratrix, and an inventory‡ of the estate presented was allowed. It showed that the estate was much in debt here and in England. Court ordered that the widow have the estate, she paying the debts, and to the two sons of her husband and her daughter Christian 20s. each. She was given liberty with the advice of the selectmen of Salem to sell the ten acre lot for present supplies or any other part as need should arise.

King,§ William Bassett§ and Mathew Farington,§ for granting license to Capt. Marshall.

*Approbation, dated 11 : 9 : 1679, of the selectmen of Lyn, Rich. Walker,§ Thomas Marshall,§ John Fuller,§ Ralph King,§ Mathew Farington,§ William Bassett§ and John Burrall,§ for granting license to widow Hawthorn.

†Original paper, signed by Edmund Batter§ and Wm. Bowditch.§

‡Inventory of the estate of Thomas Oliver, taken 21 : 4 m : 1679, by Edm. Batter§ and Hilliard Veren, sr.:§ house & ground adjoining of about 1-2 an acre, 45li.; about 10 acres of land in the north feild, 25li.; a smale old bed, bedsteed, flock bolster & pillowes with all appurtenances, 2li. 10s.; his wearing apparrell, 1li. 5s., a litle table & 3 old chests, 15s.; 2 Iron pots & old iron Kettle, a hanger & tonges, 10s.; a brass scillett & som few earth dishes, 5s.; 3 or 4 old chaires, 3s., 2 piggs, 10s., 13s.; 2 pailles & old tubs & som od lumber,

Elizabeth, relict of Allester Makmallen, who deceased before his will was perfected, it being recorded what his mind and will was, agreed to the writing and it was allowed, together with the inventory.*

The inventory† of James Standish, deceased, was presented to court by Sarah, the relict, and it was allowed.

Anthony Dike dying intestate, Margery his wife brought in an inventory‡ of his estate and was appointed administratrix. The house and land were bound for security.

5s.; an old rusty sword & old bandeleers, 5s.; total, 76li. 8s. The estate is Dr. in England as he said in his sicknes about 30li.; to severall other men heare as he said above, 15s.; due to the Towne when sick & at his buriall, 2li. 19s. 6d.; due to Dr. Swinerton about 2li. 3s.; several other debts owing not yet knowne.

*Inventory of the estate of Alester Mackmallen, deceased 20 : 4m : 1679, taken by Richard (his mark) Adams and Hilliard Verin, sr.:§ the house & ground, 40li.; an old smale feather bead, steed & furniture, 3li.; his wearing apparrell, 1li.; an old brass mettle pot & kette, 1li.; a side cubord & old warmin pan, 1li.; hanger & pothookes & gridirons, 10s.; in pewter & lanthorne, 10s.; earthenware & botle glasses, 2s.; an old chaire or two, an old chest, 3 old axes, 2 old spades & som other lumber, 10s.; an old bedstead & a litle old flock bed, 10s.; total, 48li. 2s. The estate is Dr. to Mr. Wm. Browne, sr., —; to Mr. Cromwell, 2li. 10s. 9 3-4d.; Mr. Wells, —; John Cromwell, 4li. 7s. 8d.; Mr. Browne & Willowby, 1li. 4s.

†Inventory of James Standish, taken by Joshua Rea§ and Joseph Huchinson:§ bead and beding, 4li. 11s.; five yard carsey, 1li.; 1 chest, 5s.; old lumber, 6s.; putter, 13s.; poott, 6s. 6d.; brasse, 8s. 6d.; tonges, smoothing iron, skillett, 6s.; land at Manchester in the fourth hundred acres, 7li. 2s.; 19 acres in Manchester, 8li.; total, 22li. 18s. Debts due to Capt. Corwin, 4li. 13s. 11d.; Philip Cromull, 2li. 10s. 8d.; Thomas Eives, 2li. 12s. 9d.; John Maston, jr., 17s. 11d.

‡Inventory of the estate of Anthony Dike taken by Samuell Wackfield,§ Nathaniel Pickman, jr.,§ and Nathaniell Pickman, sr.:§ on howse and ground belongin to the hows, 50li.; nine poyter platers and six plates and six peses of other poyter, 2li. 8s.; olde poyter, 6s.; on silver cup and on silver spone, 12s.; erthen platters and glases, 3s.; on bras pestell & mortar and to latten pans, 7s.; Iron pots and on friin pann, 12s.; on Iron kittell, on pair of Andirens, on spitt, on gridiron, on hake, 1li.; Iron Rake and on flesh forke, 15s.; bras kettell

The will* and inventory of Mr. Roger Conant were proved and allowed.

and on warmin pann, 1li. 15s.; tongs and fierpan, 2s.; on fether beed and bedsted and furniture to the beed, 8li.; to small flok beds & furnitur to them, 3li.; on peas of curtin stuf and freng for the curtins, 2li.; to yards of sarg and on half yarde, 10s.; fife yards of hollon, 1li.; on paire of briches, to sherts, thre paire of stokins, 17s.; on lookin glas, 10s.; thre tables, 1li., to chests and on box, 15s., 1li. 15s.; thre whells, 15s., thre erthen platters, 2s. 6d., 17s. 6d.; on Rapier, 4s. and thre pounds of wollen yarnn, 9s.; six pound of Cotten and sheps woll, 3s.; on bushell of whitt salt, 3s.; on small trunk and on small box, 8s.; six olde chayers, 3s., to dusen of olde trenchers, 1s., 4s.; to olde payels, 1s., on Cow, 2li. 5s., 2li. 6s.; on small swin, 6s.; total, 80li. 8s. 6d. The estat indetted to severall men, 20li. 10s. 9 1-2d.

*Will of Roger (his mark) Conant,† aged about eighty five years, dated the first day of the first month 1677: "I giue unto my Sonne Exercise one hundred & fortie acres of Land lyeing neere adjoyning unto the new towne of Dunstable as part of two hundred acres granted me by the Generall Court also I giue & bequeath unto him ten acres of Land next adjoyning unto his present homelot and land Lying by the side of william Dodgeses his land & butts one the land of Thomas Herrick: also I giue him two acres of marsh at the south End of the great pond by whenham or if my daughter Elizabeth Conant will Exchang to haue so much at the great marsh neere wenham: also I giue him my swamp at the head of the railes which is undevied betwixt me and Benjamin Balch adjoyning unto william Dodgeses' swamp: also I giue him my portion of land Lying by Henry Haggats on wenham side: now out of this forementioned Land he is to paye seaven pound toward the discharge of such Legassis as I haue giuen & bequeathed according as is heere after set down More I giue unto my grandchild John Conant sonne of Roger Conant ten acres of Land adjoyning to his twenty acres by the great ponds side he paying twenty pounds for the same towards the payment of legassis as after mentioned more I giue unto my grandchild Joshua Conant seaventeen acres of Land Lying by the south side of the great marsh neer wenham and bounding unto the land of Peter woodbery: and the rest to returne to my Executor

"also I giue unto my daughter Sarah two acres of Land lying between the head of the railes & Isack Hull his ground as part of six acres twixt me and Benjamine Balch this to her and || her || children also sixtie acres of Land out of my

† Seal.

farm granted me by the generall Court neere the new town of Dunstable I giue and bequeath unto the hands of Captain Roger Clap of the castle neer Dorchester for the use of a daughter of one M^{rs} Pits deceased whose daughter now Liueth in Culliton a town in Devon in old England & is in lue for certaine goods sold for the said M^{rs} Pits in London and was there to be paid many yeares since but it is alleged was neuer paid and the foresaid Captaine Clap to giue a discharge as there attorny according as he is impowered and intrusted in theire behalfe further more as legassiss I doe giue unto my sonne Lot his ten children twenty pounds to be equally devided to my daughter sarahs children to John five pound to the foure daughters five pound between them To my daughter Mary Dodge her self five pound and five pound to her five children equally devided To Exercise his children foure pound betwixt them To adonirum Veren three pound and to his sister Hannah twenty shillings and her two children each ten shillings To my Cosen Mary Veren wife to Hellier Veren three pound as also three pound unto the daughters of my Cosen Jane Mason deceased to be devided amongst them including Loue Steeuens her childeren a share my wearing apparrill I giue and houshold impelments not otherwise disposed of and my gray horse and cattle to my sonne Exercise one sheep I giue to Rebacka Connant my grandchild and one sheep to Mary Leech.

"And whereas there remains in my hands a certaine portion of cattle belonging unto on m^r Dudeney in England and by him assigned unto his nephew Richard Conant valued at twenty five pounds and now left in the hands of my sonne Exercise Conant that there be a rendering up of such cattle or theire valuation mentioned unto the said Richard Conant upon seasonable demaund he giueing a full discharge for the same And further my will is that my sonne Exercise be my Executor to this my will and Testament and for further help in seeing these things performed I desire my sonne William Dodge and my grandchild John Conant senior to be overseers of the same In witness whereof I haue heerunto sett my hand the day and yeare aboue written." Wit: John Bennet* and Benjamin Balch.*

Inventory of the estate of Roger Conant, taken Nov. 24, 1679, by John Rayment* and William Rayment:* 200 Acors of land, 60li.; Liing at Dunstabl not improved mor land sould to Elizabeth Conant & not payd for, 40li.; mor land 10 acors, 20li.; land 10 Acors, 20li.; land 23 Acors, 59li.; 2 Acors of meadow, 10li.; 2 Acors of land, 5li.; swampy land, 1li.; more land, 1li.; 2 cows and a hors, 10li.; more cattell, 15li.; 4 sheep, 1li. 10s.; a bed & furnytur, 5li.; wareing crosse

* Autograph.

Isaac Goodell dying intestate, Patience, his relict, and John Pease, sr., were appointed administrators, and an inventory* was allowed.

Clement Coldum, aged about fifty-six years, testified that about twenty-five years ago he was at St. John's under the command of Major Sudgewick and heard Capt. Lothrop beg a bell of said Major, who answered that he had disposed of that bell already, but if ever they took another bell he should have it. Afterwards they took Port Royall and there hung a bell in the new friary. Deponent being with Capt. Lathrop in Port Royall court yard heard him again renew his request to the Major for that bell. Upon that Major Sedgwick gave the bell to Capt. Lathrop for Basse river meeting house and bade them take the bell down. The bell being taken down, Capt. Lothrop with deponent and some others put it aboard Capt. More with an order to deliver it to Bass river men, which said More agreed to do. Capt. Lothrop sent home a letter to his wife by said More in which he ordered Bass river

and linin, 9li.; a Chest, trunck and box, 1li.; other things, 1li.; total, 258li. 10s.

*Inventory of the estate of Isacke Goodale, taken Oct. 23, 1679, by Nathaniel Felton† and Job Swinerton:† his dwellinge house and orchard and the land thereunto belonginge, 130li.; five acres and a halfe of fresh meadow, 11li.; 4 Cowes, 12li.; 2 yearelings and vantage, 3li.; 1 horse, 10s.; 6 swine 1 yeare old & 6 piggs, 7li. 10s.; 60 busheles Indian Corne, 7li. 10s.; 2 busheles of Rye, 8s.; 1 musket, 1 Rapier, powder and bullets, 1li. 10s.; on bed and bolster, 2 payre of sheets, an old Rug & blanket, some wollen and linnen yarne, 5li.; 2 Iron pots, a warminge pan, a fryinge pan, & a payre of pot hooks, 1li. 15s.; 2 Chests, 1li.; his wearinge Apparel, 5li.; 3 old axes, 3 wedges, a Reape hook, 2 sythes, 2 augers, 2 Chissels, a gouge and drawinge knife, a hand saw, 1li.; a payre of Cardes & smoothinge Iron and a hammer, 4s.; two trays and a Churne, 2 payles, two seives, a linnen and wollen wheele, some woodden platters, tubs and old Lumber, 2li.; 4 load of hay & other fodder, 3li.; total, 192li. 7s. Isack Goodale Dr. to Jo Swinerton, 1li. 6s. 4d.; Jon. Cromwell, 1li. 13s. 1 1-2d.; Nich. Durrall, 1li. 12s.; Jon. Pease, sr., 8s.; Jon Pease, jr., 5s.; — Golthrite, 3s. 6d.; Capt. George Corwin, 10s. 6d.; Joseph Huch. 1li. 5s.; John Pease, sr., 1li.; Zack Godle, 4s. 6d.; Wilem benat, 6s.; total, 8li. 13s. 11d.

† Autograph.

men to fetch the bell from Capt. More, which bell deponent had seen and heard in Bass river meeting house. Sworn, 17 : 10 : 1679, before Tho. Danforth, Dept. Govern, and J. Dudley, assistant.

Mr. George Emorye deposed that being at the running of the line about three years since between John Devorixes farm and Marblehead common and also between the farm once Mr. Humphreyes, Jeffery Massey and many others being present, they began at a white oak near the sluice in John Devorixes meadow and thence to a tall pine in his corn field near the fence, thence to a marked pine in the plain not far from the new bridge, thence to a great stone set up by them at the head of the ten acre lot, thence to a white oak on the edge of the rocks, called Mr. Ruckes tree, thence on a straight line to a tree marked by consent at the stony beach called Webb's folly. Wm. Hathorne testified to the same. Sworn, 7 : 2 : 1668, before William Hathorne,* assistant.

Abraham Redington's bill of cost.

Warrant, dated Apr. 9. 1677, for appearance of Mary Runlet, wife of Charles Runlet, for fornication, signed by Tho. Bradbury,† for the court, and served by Kinsley Hall,† constable of Exeter, who returned that she was not in a condition to go to court.

Writ: Capt. John Corwin, Capt. John Price, Mr. John Hathorne, Capt. William Browne and the rest of the selectmen of Salem v. John Clifford; for not paying 7li. rates as constable; dated 14 : 9 : 1679; signed by Hilliard Veren,† for the court and the town of Salem; and served by Henry Skerry,† marshal of Salem. Bond of John (his mark) Clifford, with Jacob Allin† as surety.

Thomas Loughton,† Rich. Walker† and Thomas Marshall,† commissioners of Lyn, notified the clerk of the Salem court on 11 : 9 : 1679, that the case between Robert Rand, jr., and Daniell Johnson, both of Lyn, was settled by arbitration, yet said Rand smiting said Johnson, they advised Rand to pay 3s. 4d. to the country.

Execution, dated, 8 : 10 : 1679, against Arthur Kibben, to satisfy judgment granted John Cromwell at Salem court, 25 : 9 : 1679, signed by Hilliard Veren,† cleric, and served by Henry Skerry,† marshal of Salem, by attachment of orchard of Cromwell's.

Execution, dated 29 : 9 : 1679, against John Chubb, to

† Autograph.

satisfy judgment granted Ciprian Steevens, 25 : 9 : 1679, at Salem court, signed by Hilliard Veren,* cleric, and served by John Lee,* deputy for Henry Skerry,* marshal of Salem, who for want of estate delivered said Chubb to said Steevens, as his servant, according to the award of Capt. John Floyd and Benjamin Mussie.

Execution, dated 8 : 10 : 1679, against Hanna Browne, relict and administratrix of John Browne, deceased, now wife of John Rodgers, to satisfy judgment granted to Hanna, relict and administratrix of the estate of James Browne, deceased, 25 : 9 : 1679, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of land appraised by Mr. Stephen Hasket and John Williams on the front next the lane leading to the ferry, adjoining land of Hanna, widow of James Browne, to low water mark, etc.

Execution, dated Jan. 7, 1679, against John Lee, to satisfy judgment granted Mr. Joseph Grafton, Nov. 25, 1679, at Salem court, signed by Hilliard Veren,* for the court, and served by Henry Skerry,* marshal of Salem.

Execution, dated June 30, 1679, against William Hilton, levied on 10,650 feet of pine boards to be delivered at Lamprill river, to satisfy judgment granted Hugh March, June 24, 1679, signed by Hilliard Veren,* cleric, and served by James Smith,* deputy for Henry Skerry,* marshal of Salem, who delivered Hilton to the prison at Ipswich. On Nov. 5, 1679, judgment was satisfied and Theophilus Wilson,* keeper of the prison, released him.

Execution, dated July 23, 1679, against Mathew Nixon, to satisfy judgment granted John Cromwell, 24 : 4 : 1679, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Ipswich, by attachment of orchard, possession being given by turf and twig to Thomas Rix for the use of said Cromwell.

Execution, dated June 30, 1679, against Joseph Pickworth, to satisfy judgment granted Mr. Samuall Morgan, June 24, 1679, at Salem court, signed by Hilliard Veren,* for the court and clerk of the town of Salem, and served by Henry Skerry,* marshal of Salem. Samuall Merret agreed to see to Pickworth's share of fish and the execution was to be paid in fish or mackerel taken on each voyage that Pickworth went with Merret until the whole amount was paid.

Execution, dated 9 : 12 : 1679, against Robert Knights, to satisfy judgment granted Onesiphorus Allen and Samuall Leach, 24 : 9 : 1679, at Salem court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem.

Execution, dated July 15, 1679, against Robert Knights,

* Autograph.

to satisfy judgment granted Thomas West, John Sibly and John Elletrap, attorneys for the town of Manchester, 24 : 4 : 1679, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, by attachment of Knights' house, the latter giving him an order on Robert Leach, etc.

From the Salem Commissioners' court files:

Warrant for the appearance of Joseph, the mulatto, belonging to Daniell Rumball, signed by Edm. Batter,* commissioner in Salem.

Warrant, dated 6 : 8 : 1679, for the appearance of Jno. Glover, for suspicion of stealing, signed by Edm. Batter,* commissioner in Salem, and served by Nehemiah Willoughby,* constable of Salem, who said that Glover's wife told him that he was not at home but had gone to Farmer Porter's.

James Brown's bill of cost against Thomas Malle, 15s. 8d.

Warrant, dated 6 : 7 : 1679, for the appearance of William Poore, for striking, swearing and other unruly carriage on board ship, signed by Edm. Batter,* commissioner in Salem.

Edmond Pickard, aged about sixty years, master of the Hopewell of Northam, Abraham King, aged about twenty-eight years, mate, John Atway, aged about thirty-three years, boatswain, of Capt. Hillman, and Thomas Allen, aged about twenty-five years, boatswain, of Capt. Richard Marten deposed that William Poor made great disturbance, threatening their lives. Sworn, 4 : 7 : 1679, before Edm. Batter,* commissioner in Salem.

Writ: Hugh Wilcock v. Mr. Joshua Ward, master of the pink John & Elizabeth of Salem; debt, for six months' wages due him for sailing in the said pink to Bilboa the past year; dated 26 : 9 : 1679; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal.

Hugh Willcot's account, 10li. 3s.

Joshua Ward, commander of the ship John and Elizebeth, was forced to allow 42 pieces of eight for damage in Bilboa, amounting to 8li. 8s.; the ship was to pay one-third, 2li. 16s.; the master, mate and five of his company paid 16s. each toward the damage, 5li. 19s.

Hugh Wilcock's bill of cost, 13s. 6d.

Michell Chappleman and Peter Baldin testified that the damage to the fish on their last voyage to Bilboa was from the leaky decks of the pink, for the fish next to the bottom of the vessel was sound and good and accepted by the merchant without fault-finding. Sworn, 2 : 10 : 1679.

Jno. Rucke, aged about twenty-two years, deposed that in the voyage to Bilboa in 1678, they lost the greatest part of a bottle of beer by its getting loose in the night. Sworn, 2 : 10 : 1679.

Hugh Willcote shipped Nov. 1, 1678, and began to draw pay Nov. 4 at 32s per month and was in their employ six months, ten days.

Warrant, dated 1 : 15 : 1679, for the appearance of Allen Charde, for being with the wife of Arthur Gray on a Sabbath day in time of public ordinance, also to Joseph Phippeny, sr., as a witness, signed by Edm. Batter,* commissioner in Salem, and served by Peter Cheevers,* constable of Salem, who also warned Henery Seerey as a witness.

Joseph Phippen and Hen. Skerry, tythingmen, deposed concerning what Gray said when they found him at Gray's house. Sworn, 2 : 10 : 1679.

Warrant, dated 7 : 8 : 1679, for the appearance of John Wilkinson, for entertaining other men's servants without their knowledge, signed by Ed. Batter,* commissioner in Salem.

Edmund Henfield, aged about twenty-three years, deposed that he was in John Wilkison's shop "to be trimmed and he put the Cloth about my Neck to trim me: and he did soe fumbell about me in his going about to trim me Contrary to a barbers use: that I said John I beleive that you are drunk:

* Autograph.

Where upon hee snacht the Cloth from my neck & bid me goe out to doors and said that I was an Inconsiderable fellow: Where uppon he goes to James Poling & asked whether he were drunk or noe, he answerd he did not Look well: he answerd me againe that one of his eys was sore: James Polling answerd they ware both alike: then I Came up to James Pollings shop and herd sune discourse about it: whereuppon he thrust mee with his fist against the brest and said that I was an Inconsiderable fellow: then James Polling Cald me Into his shop and forbid me to strike him againe: now sth Jams Polling I see that thee art fudled." Sworn, 2 : 10 : 1679, before Ed. Batter,* commissioner in Salem.

George Darlin testified that he went to Wilkenson's shop to be trimmed about five or six weeks ago, and sitting in the chair he shaved him one shave and then stopped, saying he would not finish unless he gave him 1s. Upon that deponent told him he should never shave him, and so he would have had to go away in that condition to another barber unless he had given him 12d. Sworn, 2 : 10 : 1679.

Warrant, for the appearance of Mr. Jno. Keene of Boston upon complaint of Thomas Wright, for striking and abusing him, and also for raising a tumult at the door of the meeting house, to the great disturbance of the church, signed by Bartho. Gedney,* commissioner, and served by Peter Cheevers,* constable of Salem.

Summons, dated Salem, 5 : 8 : 1679, for Steven Sewell and Tho. Cooper, as witnesses, signed by Bartho. Gedney,* commissioner.

Writ: Thomas Wright v. John Keene; battery, striking him with his staff in the street; dated 5 : 9 : 1679; signed by Hilliard Veren,* for the court and for the town of Salem, and served by Peter Cheever,* constable of Salem. Bond of John Keeny,* with Daniell King,* as surety.

John Keene's bill of cost, 8s. 6d. Dr. Lewis mentioned.

Court gave judgment for plaintiff. Keene appealed, with Thomas Norman and Peeter Chocke as sureties.

Thomas Wright's bill of cost, 9s. 8d.

Jno. Keene was fined on Nov. 5, 1679, for disturbing the church.

Thomas Cooper, aged about twenty-five years, and Steeven Seawell, aged about twenty-two years, deposed that they saw a stranger pull down a certain writing which was nailed upon the meeting house, whereupon Mr. John Keene came and took Thomas Wright by the collar, striking him a violent blow with his cane, etc. Sworn, Nov. 5, 1679, before Bartholmew Gedney,* commissioner.

John Helman, aged about twenty years, deposed that he saw Luke Roberts, Capt. Helman's carpenter, tear down a writing which was nailed up by Mr. John Keene of Boston, etc. Sworn, 5 : 9 : 1679, before Bartholmew Gedney,* commissioner.

Walter Lewis, chirurgion of Boston, certified, Oct. 30, 1679, that it having been reported that he had declared that Hanah, wife of John Keene of Boston, innkeeper, had had the French pox, whereby the whole family had suffered greatly by such slander, he was ashamed and sorry for what he had said without any reason, etc. Wit: Elisha Cook and Isa. Addington. Sworn before Joseph Dudley and Richard Wharton. Copy made by Hilliard Veren,* cleric.

Summons, dated 24 : 11 : 1679-80, to Samll. Eborn, Samll. Eborn, jr., his son, and Thomas Tilye, as witnesses in an action brought by William Adams against Thom. Clerke concerning swine, signed by Ed. Batter,* commissioner in Salem.

Thomas Tille, aged about fifty years, deposed that the hog at Joseph's, who married Goodman Rumball's "negar," was William Adames hog, and the hog and sow at Thomas Clerk's were Adames, also. Sworn, 26 : 11 : 1679.

Tho. Bell and Elizabeth Richards testified that some time last June Clarke carried into the woods a sow and four pigs about two months old, marked

* Autograph.

with a slit in the ear and part of their tails cut off. The pigs were all carried out in a bag. Sworn, 26 : 11 : 1679.

Samuell Ebern, aged about forty years, deposed. Sworn, 26 : 11 : 1679.

Wm. Adams' bill of cost, 14s. 4d.

Peter Cheevers, aged about thirty-seven years, deposed that he saw pigs marked at Clark's house, and the latter's wife told him they were marked the last Thursday. Sworn, 26 : 11 : 1679.

William Traske* and Thomas (his mark) Tilly, on Jan. 26, 1679, appraised the hog that Clarke killed, belonging to Adams, at 120 pounds in weight. Sworn, 26 : 11 : 1679.

Ephraim Kempton, aged about thirty years, deposed that he saw Clarke come along with a cart, with a lusty black spotted swine in it. Deponent felt of the ears and could find no mark. Sworn, 26 : 11 : 1679.

At a Salem commissioners' court held Jan. 30, 1679, Major Wm. Hathorne, Mr. Edmond Batter and Mr. Bartholmew Gedney, being present, complaint was made of one Simond Foster and his wife for being at William King's house, disturbing the family and using very threatening and railing words of fire, sword and divisions. They found them to be wandering vagabond persons, and the man was ordered to be whipped out of the town at a cart's tail ten stripes, and the woman to ride in the cart, but not to be whipped here on account of her present illness, which is at least pretended, and so as the law directs to be conveyed from constable to constable to Boston, and there the man to suffer ten stripes. The woman, if able, was also to be whipped and they were to be then conveyed to Dedham, where they were to suffer a like punishment and so conveyed out of the Colony. Orders to James Poland, constable of Salem, and to the constables of Linne, Boston, Roxburee, Dedham, etc., to see it done.

Katharan King testified that they came to her house when her husband was not at home, etc. Sara Stone and Goody Blevin also testified, all the testimony being recorded in shorthand.

Execution, dated 13 : 11 : 1679, against Joseph Gatchell, to satisfy judgment granted Jeremiah Gatchell, 6 : 11 : 1679, at the Salem commissioners' court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, who delivered him, for want of estate, to said Jerimy Gatchell as his servant.

Writ: Benjamin Mazure v. Joshua Ward, master of the pink John and Elizabeth; debt, for part of his seven months' wages, sailing with him to Bilboe the past winter; dated 26 : 11 : 1679; signed by Hilliard Veren,* for the court and the town of Salem, and served by James Powllen,* constable, by attachment of the house of defendant.

Benjamin Masure's bill of cost, 8s. 7d.

Summons, dated 2 : 12 : 1679-80, for appearance of Mr. Peeter Balden as a witness, signed by Hilliard Veren,* for the court and town of Salem.

Peeter Balden* testified that Benjamin Magey was seven months and six days upon the voyage at 32s. per month. Sworn, 3 : 12 : 1679.

Letter of attorney, given by Ben (his mark) Mesuery of Salem to his wife Margaret to receive 3li. 9s. due him from Joshua Ward for his voyage in Mr. Ruk's pink. Wit: Joseph Gatchell and Judath (her mark) Gatchell.

Writ: Peeter Miller v. Nathaniell Evens of Maulden; debt, for 3li. which he promised to pay for his sister Bethiah Gatchell's passage from Barbados to New England; dated Jan. 19, 1679; signed by Hilliard Veren,* for the court; and served by John Williams,* deputy for Henry Skerry,* marshal of Salem. Bond of Samuel Donton* and Nathanell Evans.*

Jeremiah Gatchell and Joseph Gatchell testified that about a year ago Evens and deponents were in one of Mr. Danll. King's chambers talking about Bethiah coming out of Barbados and Evens said that he had between fourteen and twenty pounds of her estate in his hands and he agreed to pay Peter Miller for her passage in "quind" money, which was 3li. in silver. Sworn, 3 : 12 : 1679.

* Autograph.

Execution, dated 4 : 12 : 1679, against Nathaniell Eavens or Samuell Danton, his surety, to satisfy judgment granted Peeter Miller or Edmond Bridges, his attorney, 3 : 12 : 1679, at Salem commissioners' court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem. Bond of Samuel Danton.* Wit: John Putnam.* Edmund Bridges* receipt to Nathanell Eavens. Wit: John Putnam.*

Petar Milar's bill of cost, 1li. 7s. 4d. Capt. Sandars mentioned.

Summons, dated 3 : 12 : 1679, for the appearance of Liddea Pickman and Samuell Wakefield and his two apprentices, Daniell Dove and Samuell Pickman, to witness in an action against Wakefield, signed by Hilliard Veren,* cleric.

Summons, dated 3 : 12 : 1679, for the appearance of John Guppy, for refusing to assist or obey constable Poland, signed by Hilliard Veren,* cleric.

Summons, dated 3 : 12 : 1679, for the appearance of Thomas Mould, for being abroad late in the night on Saturday last with a log of wood upon his back supposed to be stolen, signed by Ed. Batter,* commissioner in Salem. On the reverse: Joseph Flint, Ben. Fuller, Joseph Foster and Samuell Braubrook.

Peater Chiver, constable, and Joseph Gatchell testified that the latter went with the constable to serve the warrant on Thomas Mould. The latter's wife struck Gatchell with her fist on the face, and Mould told his wife to take a firebrand and beat him out of doors, which she did, etc. Sworn, 3 : 12 : 1679.

John Williams* and Jacob Poodeat* deposed that they had lost much fencing stuff, as rails and many old-fashioned palisadoes, and suspected Thomas Mould.

Execution, dated May 3, 1680, against Thomas Mould, to satisfy judgment granted Joseph Gatchell and his wife, for witness fees, 3 : 12 : 1679, at Salem commissioners' court, signed by Hilliard Veren,* cleric, and served by Henry Skerry,* marshal of Salem, said Mould paying it by order on Jeremy Neal.

Joseph Gatchell and Judeth his wife testified that one Saturday night they saw Thomas Mould, between ten and eleven o'clock, come out of his own house and stand upon the common near his yard, looking about him a considerable while. He then went to the right toward Lieutenant Higinson's corner, and deponents could see him no longer, but within the space of a quarter of an hour they saw him about the middle of Mr. Higinson's pond, so called, with a great log of wood on his shoulder. Sworn, 3 : 12 : 1679-80, before the commissioners.

On 25 : 12 : 1679, Bridget Oliver being presented for suspicion of witchcraft, it was ordered that the action be presented to the next Court of Assistants at Boston. She was to be committed to prison or give bond. She gave a bond.

Wonn, John Ingerson's negro, testified that a month ago going into the woods with the horses and sled, he took up his load of wood and came as far as Wm. Bean's house. Going back again into the woods between Norman's rocks and Fish brook, by the swamp side, his horses started and snorted as if they were frightened and would not go forward but ran down into the swamp up to their bellies. They hauled the sled with them and with much ado he got them out of their harness and from the swamp. About a week after, deponent going into the hay-house a little after noon to get hay for his horses, and a second time for hay for the cow, he saw the shape of Goody Oliver upon the beam with an egg in her hand. He stooped down to take up the rake or pitch fork to strike her, when she vanished. "it was the shape of the saide goody oliuer, (as now shee stands before the court) & being afrighted run in p^resently to the house, & told my master what I saw, & afterwards sitting at diner I saw two black cattis: & wee haueing one blacke cat of our owne & noe more I said how came two black cattis heare, & before my words were well out of my mouth felt three sore gripes or pinches

* Autograph.

on my side that made me crye out, & I had very much paine there & sorenes for halfe an hower after." When his horses ran into the swamp there were a little distance away John Lambert, Jonathan Pickering and some youths who noticed it and said they never saw the like and they thought the horses were bewitched. Sworn, 25 : 12 : 1679.

Writ: William Lord, jr. v. Capt. Nicholas Manning; trespass; for illegally taking up a mare of his and using her as his own nearly all winter, whereby the mare was worn and impoverished by labor, and was shortly after found dead in the south field; dated 26 : 12 : 1679-80; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of a "shoope house" of defendant.

Wm. Lord's bill of cost, 1li. 12s. 2d.

Jeremy Neal's bill of cost, as attorney to Capt. Manning, 12s. 10d.

John Hathorne,* recorder to the selectmen, certified that at a meeting of the selectmen on Nov. 11, 1679, the tythingmen were chosen.

Samuell Prince and John Bulock appraised the mare of old Goodman Lord's at 30s. in pay. Sworn, Feb. 27, 1679-80, before William Browne,* commissioner.

Joseph Gatchil, aged about twenty-eight years, testified that he heard John Bulock say on Feb. 20, 1679-80, that the mare in controversy was the one Mrs. White, wife of Resolved, gave to William Lord, jr., and that said Bulock branded it with the letter S for said Lord. Bulock said he wondered Lord did not look after this matter while Capt. Hathron was alive, for he could have said much about it. Resolved White testified to the same. Sworn before William Browne,* commissioner.

Jon. Bulock owned the foregoing. Sworn, 2 : 1 : 1679-80.

Letter of attorney, dated Mar. 1, 1679-80, given by Nicholas Manning† of Salem to Left. Jerimyah Neal of Salem. Wit: Samuell Beadle* and Samuell Prince.*

Abigail White, aged about seventy-four years, deposed. Sworn, 2 : 1 : 1679-80.

Josip Gray testified. Sworn, Feb. 27, 1679-80, before William Browne,* commissioner.

Robert Gray, aged about twenty-two years, testified that the winter that Mr. Nicholett was at the great meeting at Lin, deponent's father-in-law Manning took out of the woods or south field a mare and docked and shod her. She was branded with the letters W L. Sworn, Feb. 24, 1679-80, before Bartho. Gedney,* commissioner.

John Bullock, aged about twenty-five years, testified that about five years ago he saw a sorrel mare in Capt. Manning's sled, branded with an S and W L. In the spring of that year, sitting in his father's house, he saw the same mare go into the woods looking very poor and lean, the hair off her sides, etc. About a month later he saw the same mare dead in the south field near Giggels' spring. Coming that way again when the flesh of that mare was eaten off the bones, he perceived that she was shod with iron shoes, which he took off the hoofs. Sworn, Feb. 26, 1679-80, before Bartho. Gidney,* commissioner.

Abigail White testified that she gave Wm. Lord, jr., a sorrel mare about eight or nine years ago. Sworn, 26 : 12 : 1679-80, before Edm. Batter,* commissioner in Salem.

Jane Lord, sr., aged about fifty-six years, deposed that John Bulock several times came to her dwelling house and asked her and her husband why they did not take a course with Manning about their son William's mare. Bulock further said that his uncle Thomas Flint could depose the same as he, etc. Sworn, Mar. 1, 1679-80, before Bartho. Gedny,* commissioner.

Joseph Grey testified. Sworn, Mar. 1, 1679-80, before B. Gidney,* commissioner.

William Lord, sr., aged about sixty years, testified that John Bulock, etc. Sworn, Mar. 1, 1679-80, before Bartho. Gedney,* commissioner.

* Autograph. † Autograph and seal.

Samull Princ testified. Sworn, Feb. 27, 1679-80, before William Browne,* commissioner.

John Bulock testified. Sworn, Feb. 27, 1679-80, before William Browne,* commissioner.

Mathew Woodwell, aged about fifty years, testified that he took the skin off the dead mare. He had seen Robert Gray, servant of Nicholas Manning, drawing with that mare in their team, etc. Sworn, Feb. 26, 1679-80, before Bartho. Gedney,* commissioner.

Samull Beadil testified. Sworn, Feb. 27, 1679-80, before William Browne,* commissioner.

Nicholas Manning testified. Sworn Feb. 27, 1679-80, before William Browne,* commissioner.

Writ: William Lord, sr. v. Thomas Male; debt, for a parcel of dung; dated 13 : 12 : 1679-80; signed by Hilliard Veren,* for the court and the town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of three cards of ribbon and one card of laces.

Bill of cost of William Lord, sr., 12s.

Joseph Lord, aged about eighteen years, testified that his master Joshua Bufum was dealing with Thomas Maule and the latter told him that when John Kitching who bought the dung paid him, he would pay Lord. Buffum said, "if thee Dids Ingage for the payment then thee shulde pay Wm. Lord for it." Sworn, 2 : 1 : 1679-80.

Henry Skerry, marshal, aged above seventy years, testified. Sworn, 2 : 1 : 1679-80.

Joshua Bufum, aged about forty-three years, deposed. Affirmed, 2 : 1 : 1679-80, in court.

Warrant, dated 1 : 1 : 1679-80, for the appearance of Samuella Princ, upon complaint of Joseph Gatchel, for lying, signed by Ed. Batter,* commissioner in Salem, and served by Nehemiah Willoughby,* constable.

William Lord* and Wm. Godsoe* testified that on Feb. 27, 1679-80, they summoned Samuel Princ as a witness, but he said he could do them no good and went only as far as Mr. Veren's house. He then made his escape saying that he was summoned also for Capt. Manning in the same case and he would not leave his master's business, being summoned by him first. Sworn, 2 : 1 : 1679-80.

Jno. Meritt, aged about thirty-five years, deposed that they saw the constable of Marblehead serve a warrant on Thomas Baker, who spoke reproachfully against the authority of the country, saying he did not care for all the laws in the country. When told that he might be brought before Major Hawthorne tomorrow, he said he would not be tried by that white hat, limping rogue, etc. Sworn, Mar. 16, 1678, before Bartho. Gedney,* commissioner.

William Wood and Edward Dimond, constables, testified to the same. Sworn before Bartho. Gedny,* commissioner.

John Rowden, aged seventy-two years, Mary Rowden, aged sixty years, and Daniel Poole, aged twenty-four years, deposed that upon Dec. 25, last, about nine of the clock at night, Joseph Foster, Benjamin Fuller, Samll. Braybrooke and Joseph Flint came into Rowden's house and sat down by the fire. Then Joseph Foster and Benjamin Fuller began to sing and when they had sung two songs, Braybrooke said "how do you like this, father: is not this worth a cup of perry?" Rowden answered, "I do not like it so wel, pray be gone." Then Ben. Fuller said it was Christmas day at night and they came to be merry and to drink perry which was not to be had anywhere else but here, and perry they would have before they went. Rowden told them they should have none there. Joseph Foster said he came from the town and had no money; then he spoke to Braybrooke, "cal for your pot and mine and I will pay you agayne." Mary Rowden answered, "we keep no ordinary to cal for pots." Then they went away and in about a quarter of an hour, Foster, Braybrooke and Flint came again, and Foster said now he had borrowed money and would have the perry. Deponent

* Autograph.

COURT HELD AT IPSWICH, MAR. 30, 1680.

Judges: Maj. Gen. Denison, Major Wm. Hathorn, Capt. Nathl. Saltonstall, Mr. Jo. Woodbridge and Mr. William Browne.

Jury of trials: Mr. Daniell Epps, Corpl. Jo. Whipple, Nicolas Wallis, Joseph Goodhue, Samuell Hart, Joseph Browne, Mr. Tho. Noyse, George March, John Dresser, Jo. Stickny, Ens. Wm. Buswell and Daniell Lad.

Grand jury: Deacon Moses Pengry, Edward Lomas, Joseph Fellows, Daniell Hovey, sr., John Safford, Lift. Woodman, Henry Jaquis, Daniell Chenye, Abraham Redington, John Palmer, Tho. Lombor, Samuell Martin, Abraham Haseltine, Samuell Fellows, Serg. John Johnson, John Redington and William Barnes.

Mr. Davison and Lift. Ossgood were fined for not appearing to serve on the jury of trials.

thinking they were trying to cheat him asked to see the money, as did Mary. Foster snatched it out of Braybrooke's hand to show her and it was nothing but a piece of lead. Then they put them out of doors. When about two or three rods from the house they began to hello and Braybrooke asked Daniel Poole the way to Marblehead, and Poole told him he had better be at home with his wife. Braybrooke asked him if he wanted to fight, if so to come out, and Flint said if he wanted to box, he would box with him for a pot of perry. Then they threw stones, bones and other things at Poole in the doorway and against the house. They beat down much of the daubing in several places and continued to throw stones for an hour and a half with little intermission. They also broke down about a pole and a half of fence, being stone wall, and a cellar, without the house, distant about four or five rods, was broken open through the door, and five or six pecks of apples were stolen. Sworn, Mar. 2, 1679-80.

Ensign Nathaniel Felton and Anthony Buxton, being witnesses of the destruction next morning, deposed the same. On 25 : 12 : 1679, all parties concerned were summoned, also Edward Beachum, John Felton, John Tompkins, jr., and John Loomes as witnesses, by James Symonds,* constable. Also on 1 : 1 : 1679-80, Ensign Felton, Daniell Poole and Anthony Buxton were summoned by James Symonds,* by order of Ed. Batter,* commissioner.

Writ: Elizabeth Lord v. John Pudney; debt; for tallow, and beef suet sold his wife; dated 13 : 12 : 1679-80; signed by Hilliard Veren,* for the court; and served by Henry Skerry,* marshal of Salem.

Summons, dated 26 : 12 : 1679, to Leift. John Pickering, John Horne and Thomas Stacey, tythingmen, signed by Hilliard Veren,* cleric, and served by Nehemiah Willoughby,* constable of Salem.

Warrant for appearance of Mary, wife of Thomas Mould, for striking Joseph Getchell, signed by Ed. Batter,* commissioner. She refused to go.

Samuell Brabrock's* petition, 3 : 12 : 1679: that he had sinned against God and broken the laws of the country and was sorry. It was the first time he had so transgressed.

* Autograph.

Mr. John Gifford v. Mr. Tho. Walter and Mr. Richard Middlecut. Nonsuited.

Dr. Richard Knott v. Wm. Jarmin. Verdict for defendant.*

Erasmus James v. Richard Knot. Replevin. Verdict for plaintiff.†

*Writ: Mr. Richard Knott v. William Jerman; debt; for seven months' diet; dated 22 : 10 : 1679; signed by Hilliard Veren,‡ for the court and clerk for the town of Salem; and served by Tho. Hawkins,‡ constable of Marblehead, who delivered said Jerman to Benjamin Felton, the prison keeper at Salem.

†Copy of Thomas Hawkins' order to Benjamin Felton, prison keeper, agreeing to pay 2s. 6d. per week for William Jerman. Copy sworn to by said Felton, 29 : 1 : 1680, before Ed. Batter.‡

Writ of replevin, dated 13 : 12 : 1679-80, for William Jerman, servant of Erasmuss James, distrained by Richard Knot, signed by Hilliard Veren,‡ for the court and town of Salem, and served by Henry Skerry,‡ marshal of Salem, who delivered said Jerman to James.

Hilliard Veren, sr., and Mr. Jno. Hathorne, Jan. 3, 1679-80, certified that whereas Erassmus James had, from the Worshipfull Major William Hathorn, three executions against William Jerman, they chose said Veren and Hathorne to appraise Jerman as a servant to James, which they did at 7li. for two years, unless Jerman pay the money before that time is out. Sworn to, 19 : 1 : 1679, before Edm. Batter,‡ commissioner in Salem.

Three executions against William Jerman issued by Major Hathorne and served by Henry Skerry.‡

Petition of William (his mark) Jerman: "This Poore man William Jerman being a fisherman and not learned nor edicated in Reeding or writing Came to this Countrey and was implyed about fishing at Marblehead and meeting with bad voyages Run himselfe into Mr. Brown his debt, and after bad voyages was in a likely way to make a good voyage whereby he might a paid his debt but was then taken ofe by being pressed a souldier in the Cuntrey sarvis, but when he Com back againe Docter Knott Implied him in fishing and so he fel something into debt, and when Docter Knott did perceue that the sd Jerman was Trubled about his debt due to M^r Browne he Came to the hows where Jerman kept and made it his Imply one Lords day in the forenoone to entice the sd Jerman to owne a Judgment of tenn pounds to him and he said he would secure him from m^r Browne, but when Jerman was deliuered

‡ Autograph.

to Knott by Execution the sd Knott sould him to on Bartlett the sd bartlet Receaued full sattisfaction of the said Jerman for the said Execution but he had nott so much skill as to get in the Execution, after this Docter Knott Imployed the said Jerman about fishing againe and said that the said Jerman was in his debt about the voyage this poore Peticioner had no true account of the waight of the fish that voyage and doth beleue in truth to his understanding that he doth not owe him one penny, for he had nothing of him but meerely for the voyage and Knott had all he got that voyage yet he sarues an attachment on this poore man and layes him into the Goale in a bitter Coult time and in a likely way had perished had not Rosomus James a man he was ingaged to tooke pittie on him and helped him out of prisson he being the said James his saruant by ingagement and that Knott did that to him in Reuenge because the sd Jerman was Called by authority to witness in a case against one of his fishermen," etc.

Petter Cary, aged about thirty-six years, deposed that there was an agreement between Robartt Barthlett and William Jerman that if the latter would give him his winter and spring voyage that he was then upon with Charlls Grene, also the summer voyage following, he would be cleared of the execution of Knott's. Also that Barthlett had it all, except three or four quintels of haddock that was paid for a debt of Jerman's before this agreement was made, etc. Sworn, Mar. 13, 1679-80, before Moses Mavericke,* commissioner.

William Jerman's bill of cost.

Erasmus James' bill of cost, 3li. 8s. 8d.

Writ: Mr. Richard Knott v. William Jerman; debt; dated Mar. 21, 1676-7; signed by Moses Mavericke,* for the court; and served by John Chine,* constable of Marblehead. Copy of the execution by which said Jerman was delivered to Mr. Richard Knott for three years. Copy made by Robert Lord.* On May 30, 1677, Richard Knott* assigned said Jarman to Robert Bartlett. Wit: Thomas Hoare* and Nies. (his mark) Pickett.

Mr. John Brocke, aged about twenty-four years, and Nicholas Pickett, aged about thirty-three years, testified that on Feb. 5, both being at the house of Erosamus Jeames in Marblehead, after Jarman had owned his debt to Knott, James said in a jeering, scoffing manner "bed william Jarman out with his purse and pay the doct^r what hee owed him: Jarman: replied a Gainie in A Scoffing: laughing Manner to the s^d James that Doct^r Knott might Goe to Constable hoakins for his pay: Iff hee please: why replied Erosman Jeames is that thy Contience for to make the Constable for his loue to thee for to make him pay thy debt for thee Itt is good enough

* Autograph.

for him said Jarman: for hee is better Able for to pay the debt then I am: Itt will teach the Foole more witt another tyme: he might a Kept Mee said Jarman when hee had me." Sworn, Mar. 23, 1679-80, before Moses Mavericke,* commissioner.

John Marten, aged about forty years, deposed that he was present when Constable Hakings of Marblehead served the attachment on Dec. 22, 1679, and he urged him not to take Jerman to prison, but let him go on a voyage with him and he would agree to deliver him before the Ipswich court. Upon that, the constable left him, but on Feb. 12, 1679, he came very early and took said Jerman out of deponent's employ and cast him into Salem prison. Sworn, Mar. 27, 1680, before Moses Mavericke,* commissioner. Owned by Jerman, Mar. 29, 1680, before Moses Mavericke,* commissioner.

Morris Pike, aged about fifty years, testified that the next morning after he was put in prison, Jarman sent his wife to Robert Bartlett, asking that he take him out, as he was his servant, and no one else could do it. Nicholas Picket, aged about thirty-three years, deposed the same and that Bartlett told him that if Jarman were not out before night, he would get him out, etc. Sworn, Mar. 29, 1680, before Moses Mavericke,* commissioner.

Mr. John Brocke, aged about twenty-four years, and Nicholas Pickett, aged about thirty-three years, testified that James reckoned up Jerman's account to see if it was right and he said it was right to a penny. Knott acknowledged the debt of 7li. Sworn, Mar. 23, 1679-80, before Moses Mavericke,* commissioner.

John Bartlet, aged about thirty-six years, and Bethia Bartlett, aged about thirty years, testified that they heard Knott demand some fish of Jarman saying that he must not think of going with Robert Bartlet, and Knott get nothing for his services. Knott said, "Gett you home to my house and doe such works as I haue to doe for thee." Jarman said he should go in Bartlet's boat, but Knott said he would make him know that he was his servant, whereupon Jarman swore that if Knott struck him, he would strike his brains out with a pair of tongs that he had then by him. Sworn, Mar. 29, 1680, before Moses Mavericke,* commissioner.

John Martin, aged about forty years, testified that Jerman had his supply for sea and land of James and himself for about a year, and he had been seven months on a voyage with deponent, and was still with him. Also that Robert Bartlett had supplied him with nothing. About the first of November there was a vessel load of corn that came into their harbor, consigned to Robert Bartlet by Mr. Samuell

* Autograph.

Resolved White v. Capt. Nicolas Maning. Appeal from a judgment of the Worship. Maj. Gen. Denison, Esq. Verdict for defendant. Confirmation of the former judgment.*

Gardner, jr., of Salem, to sell for him. Jerman went for some but Bartlett would not let him have any. Deponent took two or three bushels for Jerman's use on his own account. Jerman had not even a pot to boil his victuals in, so deponent bought him one at Mr. William Brown's at Salem. Sworn, Mar. 27, 1680, before Moses Mavericke,† commissioner. Owned by Jerman, Mar. 29, 1680, before Moses Mavericke,† commissioner.

Charles Greene, aged about thirty years, deposed that he, with William Jerman, Robert Barthlett and one John Cleay, now dead, were on a voyage together, which voyage began in the latter end of 1676 and continued until the latter end of May, 1677. He understood that Jerman wished to be rid of the execution which Knott had against him and deponent heard Jerman tell Barthlett that if he would clear him and give him two shirts and one pair of drawers, he would give him all his winter, spring and summer voyage, which Barthlett agreed to do. They made sixteen or seventeen pounds each share, and the boat they went in was hired at the "six fish" and came to 13li. 10s. for the voyage, etc. Sworn, Mar. 13, 1679-80, before Moses Mavericke,† commissioner.

Philip Welsh, aged about thirty-six years, and his wife Hanna, aged about twenty-five years, deposed that last January, Robart Barthlett's man brought some wood to their house for the use of William Jerman. The man said there were six feet, but they questioned it and corded it before his face. They told Bartlett it was but four feet, but he said he would have pay for five feet or else he would send no more. He never received more, and deponents and Jerman all live together in one house, but have their wood separate, etc. Sworn, Mar. 6, 1679-80, before Moses Mavericke,† commissioner.

Thomas Manning, aged thirty-one years, deposed that he bought some mackerel of Bartlett for bait which the latter said Jerman caught, etc. Sworn, Mar. 27, 1680, before Moses Mavericke,† commissioner.

*Copy of papers of a similar action tried before Major Genll. Denison, made by Daniel Denison.†

Writ: Capt. Nicholas Manning v. Resolved White and Abigail, his wife, as she was executrix of the estate of William Lord, deceased; for not delivering a mare, which she agreed to do for taking up her jades in the time of her widowhood,

† Autograph.

and branding them; dated Mar. 10, 1679-80; signed by Hilliard Veren, for the court and town of Salem; and served by Peter Cheevers, constable of Salem, by attachment of eight pewter platters and a table.

Nicolas Manning's bill of cost, 2li. 4s. 10d.

Judgment rendered for the plaintiff. Appealed to the next County court.

Reasons of appeal of Resolved and Abigail White.

Nicholas Maning's* answer to Resolved White's reasons of appeal.

Samuel Beadle testified that some years since Capt. Maning branded many of old Goodwife White's jades, in her presence, etc. Sworn, Feb. 27, 1679-80, before William Browne, commissioner. Copy made by Daniel Denison.*

Edmund Bridges and Jeremiah Neale deposed that an ordinary mare about seven years since was worth in Salem about 40s. Copy made, Mar. 19, 1679-80, by Daniel Denison.*

Joseph Grey testified that there was an agreement between his father-in-law Manning and Goodwife White, etc. That said Manning having taken up the jades let some of them run away without branding. Sworn, Mar. 1, 1679-80, before Bartholmew Gedney, commissioner. Copy.

Joseph Grey testified. Sworn, Feb., 1679-80, before William Browne, commissioner. Owned before the commissioners, 2 : 1 : 1679-80. Copy.

Abigail White, aged about seventy-four years, testified that Manning asked her if she would give him half a mare if he found one of hers which was lost. She said she would. He found the mare but she never saw it, and later he asked her for the whole mare, agreeing to brand all her jades for it. She did not intend he should have the sorrel mare for that she had given to her kinsman William Lord, jr., and she never had any discourse with him further about marking, branding, gelding or wintering. Sworn, 2 : 1 : 1679-80, in commissioners' court. Copy made, Mar. 19, 1679-80, by Daniel Denison.*

Samuel Prince testified that some years since upon order of old Goodwife White, formerly wife of Goodman Lord, Capt. Manning brought out of the woods and the south field many of her jades, and he saw him brand twelve or thirteen. Sworn, 27 : 12 : 1679-80, before Willm. Browne, commissioner. Owned, 2 : 1 : 1679-80, in court. Copy made, Mar. 18, 1679-80, by Daniel Denison.*

John Bullock testified that Goodwife White told him, etc. Sworn, Feb. 27, 1679-80, before William Browne, commissioner. Owned, 2 : 1 : 1679-80, in court. Copy made by Daniel Denison.*

* Autograph.

Thomas Perkins v. Daniell Clarke. Verdict for plaintiff, the fence to be set up and maintained by defendant and six bushels of Indian corn damage.*

*Writ: Dea. Thomas Perkins v. Daniel Clarke; for not setting up and maintaining a sufficient fence, according to agreement when he bought the land; dated Mar. 24, 1679-80; signed by John Redington,† for the court and the town of Topsfield; and served by William Perkins,† constable of Topsfield.

Thomas Perkins' bill of cost, 2li. 9s. 4d.

Letter of attorney, dated Mar. 27, 1680, given by Thomas Perkins, sr.,‡ of Topsfield to Sergt. Edmond Bridges of Salem. Wit: John Gould, sr.,‡ and Sarah Gould.‡ Sworn, Mar. 30, 1680, before Robert Lord,‡ cleric.

Thomas Baker testified that Clark and deponent's brother Golde had a conference about a fence which he was to have set up. Clark said he had given Golde 10li. and Gould said it was but 5li., etc. Sworn in court.

Copy of deed, dated Jan. 17, 1664, given by Zacheus Goold and Thomas Baker, both of Topsfeild, for 34li. paid by — Bates to Daniell Clarke of Topsfield, 14 a. in Topsfield, bounded "with a brooke towards the south & a high waye towards the east, & the land of Luke Wakelin towards the north & the land of Barzila Barker, toward the west: And one pcell of meddow contayning by estimation six acres be it more or lesse lying in Topsfeild, or the Villadge, bounded with the land of Zacheus Goold towards the south & Thomas Perkins land towards the north, & the meddow of Luke Wakelin towards the east." Wit: John Goold and Thomas Gidding. Acknowledged, Mar. 28, 1665, before Samuell Symonds. Copy made by Hilliard Veren,‡ recorder.

Copy of deed, dated Mar. 8, 1663-4, given by Zacheus (his mark) Gould of Topsfield to Thomas Perkins of Topsfield, land partly in Rowley Village and partly in Topsfield, for 100li., bounded by Zacheus Gould on the southwest, Daniel Black on the southeast, the watercourse on the northeast and Topsfield common toward the north, and meadow of Robert Smith, Luke Wakelin and Francis Bates on the west; the other parcel was all that meadow in Rowley Village, on the west end of the Crooked pond, so called, and surrounded by land of Zacheus Gould, also a right of way for said Thomas where it would be most convenient. Wit: John Redington and John Perley. Acknowledged, Mar. 30, 1668, before Daniel Denison. Recorded June 24, 1679, in the records of land for Essex at Ipswich, book 4, page 268, by Robert Lord,‡ recorder.

† Autograph.

‡ Autograph and seal.

Mr. Thomas Walters and Mr. Ric. Middlecut, as attorneys v. Mr. John Gifford. Verdict for plaintiff. Upon request of Mr. Gifford, the bond of 2,000li. was moderated to 500li.*

John Gould and John How testified that they saw the writing in Danil Clark's hand, and Gould told Clark that if he had the writing from him, he stole it. Sworn in court.

John How and Peter Shomway deposed that they measured the fence and found it to be about threescore rods, and appraised the damage in Perkins' corn as six bushels. They judged that the swine came in through the fence now in controversy, there being a pitiful hedge, which is no fence by law. The fence to be set up was worth 2s. per rod, as five-rail fence cost at that time. Sworn in court.

John How deposed that when Ensign John Gould demanded of Danill Clark his deed, he owned that he had received of Clarke 5li. in consideration of the fence which the latter was to maintain. Sworn in court.

*Tho. Breadon's receipt, dated Apr. 6, 1670, to Mr. Gifford for 100li. by bill on Rich. Waye of Bostone from Mr. Richard Russell of Charles Towne, also one bond of John Gifford for 100li. payable June 24, 1671, in full payment, and also for one-quarter part of the Iron works at Cheswick in New England which belonged to said Breadon and company. Wit: Richard Waite, marshal, and John Conney. Sworn, Apr. 17, 1674, before Edward Ting, assistant. Recorded, 20 : 2 : 1674, folio 2, pages 114, 115, by Hilliard Veren,† recorder. Copy made by Hilliard Veren,† recorder.

Plaintiffs' bill of cost, 6li. 4d.

Copy of papers in a similar action brought in Salem court, 1679.

Thomas Tower testified that "I being belonging to the Iron works that m^r Giffard came over last upon between him and the Comp^a that hee is now troubled about by John Flood and others; This I testify that m^r Giffard care was to carry on all things with expedition to blowing and that m^{rs} Giffard before her Husband came over sett on for the same and wanted not fully providing all things needfull for the potters buying wood fitting for cording and coaling and that m^r Giffard prest on when hee came over with much care and in the time of coaling hee tooke me off to Set forward the furnace by plucking down the walls thereof so far as was defective, put me upon it with sundry more, getting all the help could bee got out of Reddin to the clearing of the water courses and hutches, mending up the dam which being effected to the makeing up the furnace hearth the workes would riddenly have blown

† Autograph.

had not the disappointment come from m^r Fogg by his actings in the denying my bills discourageing the business and shutting the Warehouse dore upon me, denying to pay me the pay that hee had before promised whenever I should bring m^r Giffards bill, which doings made me desert the worke: And further I testify hee declared to me before when I came for a Forty shilling bill that m^r Giffard had drawn upon him for me to bee paid in money, hee told mee hee would pay no more hee had possession given him in behalfe of the Comp^a according to Covenants in England, and that hee was glad that hee had such good dealings from m^r Giffard which gave him Satisfaction in all that hee could demand owneing full possession." Sworn, Apr. 29, 1679, before Thomas Brattle, commissioner. John Browne testified that he was employed at the works, etc. Sworn, Apr. 29, 1679, before Tho. Brattle, commissioner. Copy made from the Suffolk court records by Isa. Addington,* cleric.

Agreement, dated Aug. 30, 1674, between Jonathan Poole* of Redding and John Giffard* of Line, said Poole in repairing the Iron works was to furnish, for 20li., "eight binders substantially to bee fitted and putt in of white oake according to the demensions of the former as alsoe the new floating of the wheele the repaireing of the lents about the furnace that is to say to put in a false sill and new posts where that the posts haue giuen way: the raiseing of the Bridge and setting to right the plumer blocks where there is occasion also the way of the water wheele setting to rights and makeing new studs and plates on the outside. And the water gate that is to pin itt up and put itt up to rights and the said Jonathan Poole is to hayle all timber in place for w^{ch} y^e said John Gifford on pformance of the foresd." Also Giffard was to find three men to assist in raising the furnace bridge, and he was to clear away the dirt and find boards and nails. Wit: William Grice.*

Agreement, dated May 8, 1675, between Richard Smith† of Boston, bricklayer, and John Giffard of Lynn, merchant, said Smith agreeing to build at the Iron works at Lynn two arches with brick and to raise the funnel of the furnace about three feet higher than now, to repair that part of the funnel already built, to lay the platform of the furnace about four or five feet wide, said Giffard to furnish all material, and lodging and diet for Smith's men, for which Giffard was to pay 20li., half in silver money of New England as soon as the work was finished, and half in English goods at money price delivered at Boston within a month after the work was finished. Wit: John Keeny* and James Buttler.*

Copy of a letter from John Wright to John Giffard: "Wee

* Autograph.

† Autograph and seal.

hoped upon m^r Grices return hither to have received more full satisfaction then indeed wee do, the difference betweene your Selfe and m^r Fogg which is most upon your perticular Interest hath turned much to our generall disadvantage, and though it appeares that you have received of M^r Fogg much more then by your Articles yo were to have done, yet the workes are in disorder and not finished, wee heartily wish that you would lay aside all animosities and consider if you can finde any expedient to advance our Common Interest; Wee have resolved to send over m^r Grice again very shortly and shall send some Stock to see what wilbee the effect of this designe, and let us desire you to fall as effectually as you can to worke about this buisness, and let us not loose so great a provision of coals and other things as are already prepared. This bill of Exchange of m^r Godfrys is now our best part of Stock and wee hope may turn to good Account wee have already put in Sute, but it wilbee necessary that you send a Letter of Attourney because it must proceed in your name. I pray therefor send over a Letter of Attourney by the first oppertunity possibly to bee had, and impower m^r John Dodsworth of London, Haberdasher to act as yo^r Attourney in it, the bill is drawn by m^r Jacob Willet for £173. 10s. Sterling money upon m^r Thomas Broughton of Boston, merchant, and bears date 24 April 1673, and m^r John Godfryes order bears date 24 April 1673. This if you send a perticular Letter of Attourney but I thinke you may send a generall Letter of Attorney to m^r Dodsworth to Sue in your name. M^r Godfry's wife is his Administratrix and her name is Mary, I pray take care to send this Letter of Attourney speedily & effectually and wee shall bee the better inabled to supply you, I hope wee shall finde some way to settle this buisness in a better order. Direct yo^r letters on this or any other occasion to m^r Dodsworth at his house in Love lane, Habedasher hee married M^r Eatons daughter and now acts in all her concerns and is a very pretty man. Wee refer other buisness to m^r Grices coming over which wee hope wilbee in a fortnight or three weekes at furthest. This I have writ at the desire of all the rest to you, and am Your assured freind, John Wright. London, June 1, 1675. I thinke you are not acquainted that m^r Eaton is dead 2 months since, wth makes us act, by M^r Dodsworth." Addressed: "For m^r John Giffard at his house in Lynn, To bee left at m^r John Joyliffes merct. In Boston, New England." Copy made by Isa. Addington,* cleric.

"London, p mo. Novemb^r 1676.

"Mr. John Giffard, Sir, M^r John Williams coming to London wee do now authorise m^r Rich. Middlecott of Boston and m^r Thomas Walter to treat with you and to have a blast

* Autograph.

Capt. George Corwin v. Samuell Bishop, executor of the estate of Thomas Bishop, deceased. Verdict for plaintiff. The defendant not being in the country, judgment was not entered.*

at the Iron workes, if it appeares for a generall good to this end they haue a Credit for a Supply of what may bee wanting, So you will do well to comply with them there and our desire and order for yo^u to come over hither which wee need not to press your own interest being so much concerned therein wee have done this upon our own Credits here M^r Godfrys nor S^r Rich. Combes Executo^{rs} have wee been able to perswade to deposit anything m^{rs} Eaton is Executrix to m^r John Eaton, m^r Dodsworth hath purchased the share was m^r Alliens, and m^r Williams, m^r Wrights part wee hope you will consider this is the reviving or utter ruin of the concern, therefore consider you destroy it not utterly, pray remove all obstructions and carry things above board for clandestine actings will not bee interest at yo^u all; assure yourSelf for our parts if you act as you ought you will finde us ready to do the thing that may bee rather in favour of you then our Selves, for wee desire to do as wee would be done by as you will finde when you see us, want of time and in expectation of your presence wee do not nor indeed cannot enlarge, but must refer you to our Agents or Agent whose carriage if you demerit not will doubtless bee in all tenderness towards you as far as they may fairly discharge their trust for the Generall pray set out our Agents in a way to finde out how to secure our right of m^r Fogg and shew them wherein hee hath acted to the hurt of the Generall. Wee must subscribe willing to continue your Lo. Freinds, Jo. Williams, Katharine Eaton, John Dodsworth." Addressed "To M^r John Giffard, merch^t In Boston Receivd of m^r middlecott 9 May 77." Copy made by Isa. Addington,† cleric.

Letter of attorney, dated Mar. 13, 1678, given by Thomas Walter‡ of Yonghall, in the Kingdom of Ireland, now resident in Boston, merchant, attorney to John Wright of Wrights-bridge, county Essex, England, Esq., John Williams of Bristol, England, merchant, Katherine Eaton, widow and executrix of her son John Eaton, late of London, mercer, and John Dodsworth of London, haberdasher, to his well-beloved friend John Flood of Maulden in New England. Wit: William Gilbert† and John Hayward,† scribe. Sworn, Mar. 13, 1678, before Edward Tyng,† assistant.

*Writ, dated Mar. 1, 1679-80, signed by Hilliard Veren,† for the court and town of Salem, and served by Robert Lord,† marshal of Ipswich, by attachment of land that belonged to

† Autograph.

‡ Autograph and seal.

Thomas Ives v. John Pudney. Debt. Verdict for plaintiff.*

Mr. Phillip Cromwell v. Mr. George Emery. Debt. Verdict for plaintiff.†

the great house, leaving a summons with his wife at the house of his abode.

George Corwin's bill of cost, 1li. 13s. 4d.

Bond, dated June 22, 1668, given by Thomas Bishop‡ of Ipswich to Capt. George Corwin of Salem, merchant, for 50li., for a debt due said Corwin from Thomas White of Wenham, in fat cattle, English grain, pork and Indian corn, to be delivered at Corwin's dwelling house in Salem. Wit: Ele. Hathorne‡ and Jno. Higginson, jr.‡ Sworn, Mar. 27, 1680, before William Browne,‡ commissioner.

Bond, dated Apr. 2, 1678, given by Margaret Bishop‡ of Ipswich, executrix of the estate of Thomas Bishop, to pay the remainder of the bill due Capt. George Corwin from said Thomas, deceased. Wit: Nathanel Chapman‡ and Ester Bishop.‡ Sworn in court.

*Writ: Thomas Ives v. John Pudney; debt; dated Mar. 22, 1679-80; signed by Hilliard Veren,‡ for the court and town of Salem; and served by Henry Skerry, jr.,‡ deputy for Henry Skerry, sr.,‡ marshal of Salem, by attachment of house of defendant, leaving the summons with his wife.

Thomas Ives' bill of cost, 1li. 15s. 2d.

Nicholas Durell, aged twenty-four years, deposed that Judeth, wife of John Pudney, told him that she was to pay Thomas Ives 3 1-2d. per pound for all the tallow that she had of him, she to pay each month. She acknowledged that she was behindhand in her payments. Sworn, Mar. 22, 1679-80, before William Browne,‡ commissioner.

Joseph Kemball, aged eighteen years, deposed that his master Thomas Ives, etc. Sworn in court.

John Pudney, Dr., to tallow to be paid in money: 1677, 21 : 5, to 44li. tallow at 3 1-2d., 12s.; 28, to 5li., 4 : 6, 23li., 8s. 2d.; 22, to 19li., 25, 40li., 17s. 2 1-2d.; 1 : 7, to 48li., 8, 52li., 1li. 9s. 2d.; 15, to 75li., 22, 72li. tallow leg beak, 120, 2li. 3s. 10 1-2d.; 29, to 25 1-4li. tallow shold. mtt., & shed. pl., 2s., 9s. 4 1-2d.; 5 : 8, to 26li. tallow Beeves Cheeke, 10d., 8s. 5d.; 12, to 60li. tallow, 19, 56li. tallow, 6li. beafe, 1li. 15s. 4d.; 3 : 9, to 77li. tallow, 17 : 10, 174li. tallow, 3li. 13s. 3 1-2d.; total, 11li. 17s. 7 1-2d. Cred. p money, 10s.; 54li. Candles at 6d. p., 1li. 7s.; 2 : 7 : 1678, money, 13s., 6s., 10d., 1li.; total, 4li. 2s. 10d. Copy from the book by Robert Lord,‡ cleric.

†Writ, dated 29 : 10 : 1679, signed by Hilliard Veren,‡

‡ Autograph.

Capt. Nicolas Maning v. Wm. Lord. Appeal from the judgment of the Commissioners of Salem. Verdict for defendant. Confirmation of the former judgment.*

for the court and town of Salem, and served by Henry Skerry,† marshal of Salem, who took Mr. George Emery to prison at Salem, he having no money. Mr. John Tally, with the keeper and said Skerry, took him to Major Hawthorn and he was then freed, said Tally agreeing to appear for him because Mr. Emery was not able to be there.

Letter of attorney, dated Mar. 24, 1679-80, given by Georg Emery† of Salem, chirurgion, to Mr. Walter Fairefeild of Wenham, said Emery being unable to travel and a prisoner. Wit: Thomas Boyden† and Thomas Nicklson.† Acknowledged, 24 : 1 : 1679, before Edm. Batter,† commissioner in Salem.

Mr. George Emery, Dr., to Phillip Cromwell; by balance of Acpt. made up with him 24 Feb., 1669, 13li., 10s. 10d.; 28 : 4 : 1670, to nec veale, 12d., 7 1-4 beafe, 3s. 1 1-4d.; 20, to tongue, 20d., 27, 8 3-4li. beafe, 4s. 2 3-4d.; 1 : 7, to brest muttn. 18d., 6, 1-4 mutton, 3s., 10, 10 1-2li. beafe, 7s. 6 3-4d.; 17, to 8li. beafe, 24, tongue, 20d., 18, 7 1-4li. beafe, 6s. 1 1-4d.; 8 : 8, to tongue, 18d., 15, 18li. beafe, 24, killed a Cow, 5s., 11s. 9d.; 1673: 28 : 12, to 1-4 veale, 30d.; total, 15li. 6s. 1d. Cred. 1670 : 6 : 3, p John Woodbury, 8s.; calfe, 9s.; 1672, hyde, 11s. 6d.; p Isaacke Woodbury, 1li. 5s.; 1673, p Benj. Ganson, 1li. 2s.; 1673-4, Calfe, 9s.; total, 4li. 4s. 6d.; balance due May 22, 1674, 11li. 1s. 7d.

*Reasons of appeal of Nicholas Manning,† as given in by his attorney, Jeremiah Neale,† Mar. 24, 1679-80, to the Ipswich court.

Answer of William Lord, jr.,† to Capt. Nicholas Manning's reasons of appeal. Mentions Mrs. White as his aged aunt.

Copy of papers of this action brought in the commissioners' court, Mar. 2, 1679-80, at Salem.

Plaintiff's bill of cost, 21s. 4d.

William Lord's bill of cost, 16s.

Letter of attorney, dated Mar. 29, 1680, given by William Lord, jr.,† of Salem, mariner, to Joseph Gatchell of Salem, tailor. Wit: Francis Neale† and Wm. Godsoe.† Acknowledged, Mar. 29, 1680, before Edm. Batter,† commissioner in Salem.

Samuell Prince, aged about twenty-six years, and Jacob Manning, aged about nineteen years, deposed that they heard Joseph Gatchell say at the Commissioners' court that Nick Manning had put in some words in Joseph Greyes testi-

† Autograph.

‡ Autograph and seal.

Capt. Nicolas Maning v. Resolved White. Debt. Verdict for plaintiff. Appealed to the next Court of Assistants. Said White bound, with Samuell Gardner as surety.*

mony. Sworn, 27 : 1 : 1680, before Wm. Hathorne,† assistant. Jerimy Neale testified to the same.

*Copy of papers in a similar action brought, 9 mo. 1675, in Salem court.

Nic. Maning's bill of cost, 2li. 5s.

Writ, dated Mar. 25, 1680, signed by Hilliard Veren,† for the court and town of Salem, and served by Tho. Ives,† constable of Salem. Bond of Resolved White.†

Mr. Resolved White's bill of cost, 2li. 6s. 8d.

Joseph Gray, aged twenty-seven years, testified that his father-in-law Nickolas Maning had some swords, daggers, cutlasses, rapiers and sword handles and one halberd which Maning said came to 5li., which he had of Goodwife Lord, now wife of Resolved White, also one red cow called by the name of Cherry which cost 5li. Abigail Gray testified to the same. Sworn, 25 : 1 : 1680, before Ed. Batter,† commissioner.

Copy of deed, dated Dec. 16, 1668, given by William (his mark) Lord of Salem, cutler, and Abigail (her mark) Lord, sr., his wife, to Mr. Nicholas Manning of Salem, gunsmith, ten acres, in the broad field, bounded on the east by John Pickering's land, on the west by land of the Worshipful Major Hathorne, on the south by the milne river and on the north by the town common. Wit: Benjamin Felton and Edw. Norice. Acknowledged by said Abigail, 5 : 8 : 1674, before Wm. Hathorne, assistant. Copy made from the records of lands in Salem, 30 : 11 : 1679, by Hilliard Veren,† cleric.

John Maskal, jr., aged about twenty-nine years, testified concerning the swords. Georg Thomas testified to the same. Sworn, 25 : 1 : 1680, before Edm. Batter,† commissioner.

From Capt. Manning's book: Dec. 10, 1668, Reckoned with Goody Lord, due, 4li. 14s. 2d. Account of Wm. Lord, sr., Dec. 10, 1668, to 10li. in money; cord of wood, 4s.; 6 foote of wood, 6s.; 1 cord & halfe of wood, 12s.; 5 foote of wood, 5s.; 2 load of Log wood, 9s.; 2 load of Log wood, 9s.; 3li. of sope, 1s. 6d.; 1 bushel of Endon corne, 3s. 6d.; 2 bushels of white, 11s.; 3 bushells of malt, 15s.; to brands, 5s.; keeping 5 Jades, 11i.; 7 foote and halfe of wood, 7s. 6d.; 1 bushel of wheat, 5s. 6d.; 1 bushel of malt, 5s.; 1 bushel of malt, 5s.; 6li. of sope, 2s. 6d., 5 cord and 1-2 of wood, 2li. 4s.; 4li. 1-4 of porke, 1s. 4d.; 4 bushells of corne, 13s. 4d.; mending 2 pitchforks, 2s.; mending of a warming pan, 1s.; 3 weeks pastering, 4s.; mending a gredeyorn, 1s.; 1 bushel of malt,

† Autograph.

5s.; 2 bushels corn, 6s.; cord of wood & 1-4, 10s.; 3 shillings in money, 3s.; 1 cord & 7 foote of wood, 15s.; 2 bushell of corn, 6s.; axe steeling & mending eye, 3s. 6d.; branding 6 Jades & keeping, 12s.; 3 cord & 7 foote of wood, 1li. 11s.; 1li. of sope, 6d.; 1-2 bushel malt, 2s. 6d.; 2 boards, 3s. 6d.; 1 bushel malt, 5s.; 12 hooeks, 5s.; haspe for the gate, 1s.; steeling an axe, a helfe, 3s. 6d., 5 foote of wood, 5s., 6 foote of wood, 6s.; 6 foote of wood, 6s.; 27 shillings in money; 30 shillings in money; 6 foote of wood, 6s.; 3 cord of wood, 1li. 4s.; 1 firkin of sope, 1li.; 20 shillings to the glasier, 1li.; 8 bushels of Indian corne, 1li. 4s.; a quarter of beefe, 120li. at 3d., 1li. 10s.; by Mr. Phillip Cromwell, 40li. 1s. 10d. Nov. 4, 1669, 5 foote of wood, 5s.; 1 cord of wood, 8s.; 1-2 cord of wood, 4s.; 2 bushell of Ingon corne, 6s.; cow, 5li.; 2 bushell of malt, 10s.; one quarter of beife waying 145li., 1li. 17s.; 6 foote of wood, 6s.; 2 cord of wood, 16s.; 3 bushells of white, 16s. 6d.; firkin of sope, 18s.; 3 bushells Injon corne, 9s.; 2 bushell Injon corne, 6s.; 2 bushell of Reiey, 8s.; two load of long wood, 10s.; 3 cord of wood, 1li. 4s., a syde of pource, 65 lb., 1li. 1s. 8d.; one bushel of malt, 5s., 2 bushels of Injon corne, 6s.; 4 cord of wood, 1li. 12s.; paire of linck & twest, 6s.; fire shovells, 8s.; 3 load of stones, 6s.; one bushell of white, 5s. 6d.; one load of hay, 1li. 10s.; 4li. of butter, 2s.; one cheese, 2s. 6d.; one quarter of felle, 5s.; one bushell of Injen corn, 3s.; one quarter of mutton, 4s. 6d.; 3 load of clay, 6s.; 2 load of gravell, 4s.; 2 cord of wood, 16s.; 8li. of beife, 2s. 8d.; 10s. in money, 10s.; 2 bushell of white, 11s.; 3 bushel of Rye, 12s.; 9 bushell of Indian corne, 1li. 7s.; 1 quarter of mutton, 5s.; staples, 1s.; 3 1-2 cord of wood, 1li. 8s.; 25 shillings in money, 1li. 5s.; English goods, 4li.; 2 cord of wood, 16s.; 5 bushel of Indian corn, 15s.; 4 bushell of malt, 1li. On Jan. 20, 1670, for wood, Indian corn, malt, keeping jades, mending a forke, veal, lamb, wheat, a hoe, mutton, mending a skillet frame, pease, etc., 16li. On June 20, 1673, frame of a wharf, 2li. 10s.; drawing the wharf to the place, 5s.; 3 men one day's work, 9s.; 2 men putting the anchors down, 4s.; wood, staples, lamb, malt, mutton, Indian corn, a cow, hooks, pork, fire shovel, soap, boards, stones, clay, crotch for your well, 3s., mending the bolt, 1s., 12 nails and 3 posts, righting fences in south field, mending pair of tongs, 1s. 6d., bail for a pail, shoeing your horse, 4s., etc., 19li. 17s. 9d.

Phillip Cromwell's* receipt, dated Mar. 2, 1668-9, to Capt. Nicholas Manning, upon account of widow Lord, for 7li. Sworn in court.

Joseph Gatchell, aged twenty-eight years, testified that when he was apprentice to Mr. Richard Prince, deceased,

* Autograph.

Capt. Nicolas Maning v. Joseph Gatchell. Defamation. Verdict for plaintiff. Defendant was ordered to pay a fine or make a public acknowledgment that he had wronged said Maning by accusing him of forgery. He made acknowledgment in court.*

Nicholas Maning bought a red cow of Goodwife Lord, and Manning said he was never plagued with such an unruly beast. Sworn, 25 : 1 : 1680, before Edm. Batter,† commissioner in Salem.

Abigaile Gray testified that about a year before her uncle William Lord died, Manning told him that his mare and colt had done some damage and he would buy them and pay 3li. Sworn, 25 : 1 : 1680, before Edm. Batter,† commissioner in Salem.

Joseph Gray testified that his father-in-law Manning bought the mare and she had a white place on her forehead. Sworn, 25 : 1 : 1680, before Ed. Batter,† commissioner in Salem.

Samuel Gardner, aged about fifty years, deposed that he heard Mrs. Abigail White own in court that which Capt. John Floyd and Edmond Bridges testified, that she had received 44li. in money in lieu of 50li. in other pay of Capt. Manning. Sworn by Gardner and John Puttnam in court.

William Bowditch, aged about thirty-nine years, deposed the same. Sworn, Mar. 26, 1680, before William Browne,† commissioner.

*Writ: Capt. Nicholas Manning v. Joseph Gatchell; defamation, for saying that he forged some words in a testimony sworn by Joseph Gray before Mr. Browne in a case between William Lord, jr., and Capt. Nicholas Manning at the commissioners' court; dated Mar. 6, 1679-80; signed by Hilliard Veren,† for the court and town of Salem; and served by Peter Cheever,† constable. Bond of Wm. Godsoet and Wm. Lord, jr.†

Joseph Gray, aged about twenty-seven years, testified that in the time of his apprenticeship with his father-in-law Manning, he saw the latter put a piece of lead on to the poise of a pair of stilliards when he was going to the north field to buy hay, and when he came home he took the lead off. The lead he nailed on was about a pound or more. The hay being brought in a cart, it stuck in the river so that the oxen were nearly drowned, and they had to unyoke them and let them swim ashore to save their lives. Sworn, 25 : 1 : 1680, before Edmund Batter,† commissioner in Salem.

Jno. Maskell, jr., aged about twenty-five years, testified that when he was apprentice to Manning, etc. Sworn, 25 : 1 : 1680, before Edm. Batter,† commissioner in Salem.

† Autograph.

Thomas Searle, upon an appeal from a judgment of the Commissioners of Salem, had the former judgment confirmed, unless by Apr. 14, next he take the said oath. By a note from the Major General that he had taken the oath of tythingman, he had his money for the action returned.*

Jeremiah Neale, upon an appeal from a judgment of the Commissioners of Salem, had the former judgment confirmed unless by Apr. 14 next he take the said oath. He took the oath in court.†

*At a Commissioners court at Salem, Mar. 2, 1679, Leift. John Pickering, John Tomkins, John Loomes, Leift. Jeremiah Neale, Edward Woollen, Thomas Searle and John Rogers refused to take the oath as tythingmen and were fined. On 20 : 11 : 1679, Leift. Leach, Henry Renalds, John Mascall, Symond Horne, Thomas Jegells, Jonathan Walcutt and Thomas Gould took the oath of tythingmen, and Manasses Marston also, but with exception against that part of the oath referring to Quakers. Copy made by Hilliard Veren,† cleric.

Thomas Searle appealed, Mar. 2, 1679-80, and gave bond with John Pumery and Ezekiell Waters as sureties.

At a meeting of the Worshipful Major Wm. Hathorne and the commissioners of Salem, 13 : 11 : 1679, there appeared most of the tythingmen chosen by the selectmen, Leift. Richard Leach, Jon. Loomes, Leift. Pickering, Manasses Mastone, John Horne, Tho. Stacy, Hen. Renalls, John Mascall, Symond Horne, Leift. Neale, Tho. Jeggells, Edwa. Woolan, Tho. Searle, Nathaniel Beadle, John Rogers, Samll. Archard, Tho. Goold and Jonathan Walcutt, and several of them desired some time to consider it before they took the oath. The meeting was adjourned for one week, and those who did not appear then, would be guilty of refusing to take the oath. Copy by Hilliard Veren,† cleric.

Thomas Searle's† reasons of appeal: that he was appointed before the law was passed requiring tythingmen to pay a fine of 40s. for refusing to take the oath, etc.

†Jeremiah Neale's† reasons of appeal, that he was appointed before the law was passed requiring tythingmen to pay a fine of 40s. for refusing to take the oath, etc.

Answer to Tho. Searle's and Jeremiah Neale's reasons of appeal: that they "very unworthily Reflect upon the Authority of the country as if they enacted Laws to ingadge persons to disloyalty and breach of faith to his majestie and there insisting on such a plea is very pervers for they know that

Phillip English v. the estate of Rich. Hollingworth. Debt. Withdrawn.

Phillip Grely v. Mr. Thomas Woodbridg. Debt. Verdict for plaintiff. Execution respitted.*

we perswaded them for Removing all such scruples to take ther oth with this salvo: i.e. saving ther oth of Alegienc to his majestie & that we would soe enter itt — therfore noe Room for such a Cavill. . . . They Conceive that they are not to be Judged by the sivill law & we suppose not by the Cannon law but leave it to yo^r hon^{rs} wise desission who we are Confident will Conccider the parties which we Conceive are on the one side the Law & order of this Government: & on the other side persons y^t herein show more of their wills then of Reason & Contienc."

At the Commissioners' court, Mar. 2, 1679-80, Jeremiah Neale appealed and gave bond with William Trask and Thomas Flint, jr., as sureties.

John Hathorne,† recorder to the selectmen, certified on Mar. 20, 1679-80, that at a meeting on Nov. 11, 1679, the Salem tythingmen were chosen, and that there had been none chosen since.

Edward Wooland, aged fifty-six years, and Thomas Searle, aged forty-two years, testified as to Neale's refusing to take the oath. Sworn, 21 : 1 : 1680, before Wm. Hathorne,† assistant.

*Writ, dated Mar. 23, 1679-80, signed by Tho. Bradbury,† for the court and the town of Salisbury, and served by Joseph Pike,† constable of Newbery, by attachment of one black swine, three spotted swine and a broadax.

Phillip Grelle's bill of cost, 2li. 10s.

Bond, dated Nov. 9, 1673, given by Phillip Grele† of Salsbery to Thomas Woodbridge of Newbery, in red oak pipestaves to be delivered at the hoghouse landing place at Salsbery. Wit: Nath. Winsley.† Sworn at Newbery, Sept. 17, 1677, before Jo. Woodbridge,† commissioner.

Ephraim Winsley and Joseph Greenliefte deposed that last February they were with Greely at the house of Mr. Tho. Woodbridge, and Ensign Steven Grenleife and Mr. Davidson were also there when Woodbridge owned that he had received of Grenleife 50s. upon Grely's account which Woodbridge refused to settle. Sworn in court.

Danll. Davison testified that being occasionally at Mr. Thomas Woodbridge's house in company with Mr. Phillip Grely, Ensign Greaneleife and Ephraim Winslow, etc. Sworn, Mar. 30, 1680, before Nath. Saltonstall,† assistant.

† Autograph.

Mr. Rich. Dole v. Edward Clarke. Debt. Verdict for plaintiff, in wheat, malt and pork.*

Mr. Rich. Dole v. Wm. Neeff. Debt. Verdict for plaintiff.†

John Pearson v. Mr. Phillip Nellson, Ezekiel Northend and Capt. John Johnson. Verdict for plaintiff. His division of land, six acres and a half and twenty-seven rods according to the town grant to be laid out within six days.‡

*Writ, dated Mar. 2, 1679, signed by Nath. Saltonstall,§ associate, and served by Tho. Eatton,§ constable of Haverell, by attachment of the house and orchard of defendant.

Bill of cost of Mr. Rich. Dole, sr., 1li. 6s.

Bond, dated Apr. 11, 1673, given by Edward Clarke§ of Haverhill to Rich. Dole of Newbury, for 8li. 5s., to be paid in wheat, barley or pork. Wit: Robert Ford§ and Jno. Dole.§ Sworn by said Dole before Nath. Saltonstall,§ assistant.

†Writ, dated Mar. 24, 1679, signed by Nath. Saltonstall,§ assistant, and served by Thomas Eatton,§ constable of Haverell, by attachment of Spegot meadow belonging to defendant, which runs northward to a "hash" tree, the warrant being left with Neeff's wife, he not being at home.

Mr. Rich. Dolle's bill of cost, 1li. 16s.

Letter of attorney, dated Mar. 30, 1680, given by Richard Dole, sr.,|| of Newbury to Robert Lord, marshal. Acknowledged, Mar. 30, 1680, before Nath. Saltonstall,§ assistant.

Bond, dated Apr. 22, 1672, given by William (his mark) Neff of Haverhill to Richard Dole of Newbury, for 20li., to be paid in white oak heading, two feet, three inches in length, and hogshead staves at 1li. 17s. per M. to be delivered at Haverhill. Wit: Jno. Dole§ and Thomas Lowle.§ Sworn, 18 : 9 : 1672, before Daniel Denison.§

‡Writ: John Pearson, jr. v. Mr. Philip Nelson, Ezkiel Northend and Capt. John Johnson, lot layers of Rowley, to lay out a third part of men's rights at the eastward of the town who had no right in the ox-pasture; dated Mar. 25, 1680; signed by Thomas Leaver,§ clerk of the writs for the town of Rowley; and served by Jeremiah Elsworth,§ constable of Rowley, by attachment of houses of defendant, also town land on the west of the way leading to the mill.

John Pearson's bill of cost, 2li. 8s. 10d.

Copies from Rowley town book of records made by Joseph Boynton,§ keeper of the book:

"At a Legall Towne meeting held the 24th of february 1673 it was agreed & voated that the Towne common should be divided to the value of two thirds of it or their abouts; be it

more or less (viz) that is that to every gate on the Common their shall bee laid out two Acers: to every twenty shillings of the last yeare ministry rate on every person in the Towne & so proportionably to lesser or more foure acers and to every inhabitant that keepes a house & payes rates two Acers: the persons paying Rates & keeping houses is to bee understood such whose habitation is situate within the five miles that is accounted Towne Common also inhabitants keeping houses are to be understood freeholders & such whose houses are at present inhabited. this voate passed on the affirmative by the maior part.

"At a Legall Towne meeting held 23th of march 1673 it was Agreed & voatted that the Quantity of land propounded to bee divided is hereby declared to bee doubled according to the rules above mentioned. this passed on the Affirmative.

"At a Legall Towne meeting held the 15th of Decemb. 1674 it was voated & Agreed that they that have noe right in either end oxe pasture should come in for one third part of their Right due unto them According to the last yeares Grants in the first land that is divided.

"At a Legall Towne meeting held 1 of January 1677 it was Agreed & voated that M^r Nelson Richard Swan, Ezekieil Northin are chosen to view the land & to lay it out to those men that are by grants in the Towne Booke to have the third of their proportion & thomas Tenny & William Tenny is to ioyn with them to see where it shall begin & where to find what is wanting to make up the sume."

"At a legall Towne meting held the 15 of december 1674 it was agreed and voted that that part of the comon within the five miles that is left undiuided after that the grants for a diuision of the comons that were granted the last year are fully satisfied according to the proportions their in expressed unto euery man therin concerned that then the Remainder of the land within the said five miles should be and so Remaines to be a fre comon to all these and their heirs that haue a present Right in the said diuision according to their owne proper Right or intrest by house gates or estates onely those that haue the number of six gates and upwards and at present haue but one house or by the said grants liberty but for one frehold at present may haue liberty for one frehold more when they haue ocasion to build another house as those of fewer gates haue done before these grants and theirby haue gotten the benefit of two freholds and if their be any other cases worthy of tender consideration it shall be in the power of the selectmen to consider of them: this voted passed on the affirmative by a maior part of the Towne." Copy made, Mar. 26, 1679, by John Johnson.*

* Autograph.

Hugh Lattimore v. Richard Hare. For goods in the hand of Philip Parson. Verdict for defendant.*

William Tenny,† keeper of the ministry book, certified that John Person, jr.'s, ministry rate for 1672 was 11i. 2d.

John Person, sr., aged about sixty-five years, testified that his son John was an inhabitant of Rowley and lived in the house he gave him when the town made the division of land, also he owned two gates in the cow common which he also gave him. Sworn in court.

John Pickerd, sr., and Daniell Wickcum testified that John Person, jr., is one who ought to have a third part of his rights laid out in the first division of the first divided land. Sworn in court.

John Johnson,† Philip Nellson† and Ezekiel Northend† laid out on Apr. 6, 1680 to John Pearson, jr., to satisfy judgment, six acres and a half of land and twenty-seven rods according to town grants, on the mill hill a little above the house of John Baly, bounded on the northeast corner by a great white oak standing in Newbury line, the southeast corner by a heap of stones, southwest corner by a black oak and heap of stones, northwest corner by a white oak stump, which is the corner bound of John Bayly's land, and bounded on the north by Newbury line, east and south by common land and west partly on common land and John Baly's land.

*Writ: Hugh Lattemore v. Mr. Richard Hares, who had goods in the hands of Mr. Phillip Parsons; debt, for services two months, being boatswain of the ship Margaret of which said Hares was master, which ship was driven ashore at Nantascott on Dec. 23, 1679; dated Mar. 4, 1679-80; signed by Moses Mavericke,† for the court and the town of Marblehead; and served by Thomas Haknes,† constable of Marblehead, by attachment of one piece of serge and two pieces of stuff.

Thomas Mander, aged about twenty-eight years, testified that Hare shipped Lattemore on Dec. 24, as boatswain, etc. Sworn, 8 : 1 : 1679-80, before Edm. Batter,† commissioner in Salem.

Henry Williams, aged about forty-four years, deposed that he carried the summons to Hare's lodgings, but he refused to hear it read, and on the next day he called again and a woman who was in the house said Hare had burned it. Sworn in court.

Hugh Lattemore, aged about twenty-three years, deposed that he was shipped to help get the vessel off the shore from Point Alderton for 40s. per month. He worked for him

† Autograph.

Frances Quilter, widow and relict of Marke Quilter v. Larrance Clenton. Debt. Nonsuited.

John Staniford v. John Killam. Debt. Defendant acknowledged judgment to plaintiff in pork and corn.

Richard Kimball acknowledged judgment to John Staniford in corn.

Joseph Gatchell acknowledged judgment to Mr. Phillip Cromwell.

Lift. John Ossgood had his license renewed for a year.

Ezekiell Woodward had his license renewed for a year, also his license for liquors.

John March was granted a license to keep ordinary at Newbury for a year, also to draw wine and liquors.

John Bullock was licensed to keep a cook's shop and to draw beer and cider for a year.*

Mr. Peeter Duncan had his license renewed for a year, also his license for liquors.

John Mighill had his license renewed for a year.

John Severns had his license renewed for a year.

Quartermaster Perkins had his license renewed for a year, also his license for liquors.

Edward Hassen had his license renewed for a year, also his license for liquors.

two whole months and brought the ship to Boston. Sworn, 29 : 1 : 1680, before Edm. Batter,† commissioner.

Christopher Lattemore, aged about sixty years, testified that meeting with Mr. Richard Hare at Capt. Marshall's, etc. Sworn, Mar. 26, 1680, before Moses Mavericke,† commissioner.

*John Bullocke was impressed into the country's service against the Indians and was "sorely wounded to the very greate hazerd of his liffe; and being thereby disabled from gitting a livelihood for himselfe much more for a famylye in any Labourious Calling, hee still remaining a Creeple and under greate & greuious affliction by that meenes. The Consideration wheare of hath moued our harts nott only to pittey him, butt also to Consider of some waye sutable for one in that distressed Condiecion wheareby hee may bee able to gitt a liueing, And nott discourage him and others that may bee called forth upon searvice for there Country heereafter," etc. Copy from the Salem town records, 9 : 11 : 1679, made by John Hathorne,† recorder.

† Autograph.

Peeter Cheny had his license renewed for a year.

Nathan Webster being attached to this court by Benjamin Kimball, and no action entered, was allowed costs.*

Upon information made to this court that by virtue of an execution against Mr. Richard Hollinworth obtained by Phillip English, that it was levied upon an estate of land supposed then to be Hollinworth's, which Mr. John Browne had challenged and holds by a deed from another man, and Phillip English moving for a renewing of the execution for so much as remains, court granted it.

Mrs. Elizabeth Paine, administratrix and relict of John Paine, deceased, brought in the receipts of all the creditors that they had received their pay.

Nathaniell Walderne chose Walter Fairefield as his guardian.

Phebe Newmarsh was fined upon her presentment.

Upon request of the selectmen of Ipswich that John Sparke's license for an ordinary include retailing wine and liquor and any other sort of drink according to law, court granted the request and renewed his license for a year.

Court appointed Capt. Saltonstall to take account of Mr. Dalton's treasurership, and report to court.

Walter Roper was released from training, without paying anything for the future.

Mary Marchant, widow, dying intestate, court granted administration to Henry Osborne, who was to administer according to a paper declared to be her mind, the land to stand bound.

Benjamin and Hanah Pearson were fined for fornication.

John Sandy was fined for fornication, and for marrying without being published.

John Stone had his license renewed for a year, also his license for liquors.

John Simons and Joseph Bayly of Bradford took the free-man's oath.

*Writ: Benjamin Kimball v. Nathan Webster; for coming upon that land in Bradford which he bought of Hugh March, formerly John Griffin's, claiming it as his own; dated Mar. 23, 1679; signed by Nath. Saltonstall, assistant. Copy made by Samuëll Webster,† constable.

† Autograph.

Court referred the case of Roger Darbye to the next session.

In the case of Abell Powell, court found some suspicion and ordered him to pay charges, which was left to Mr. Jo. Woodbridge.*

*On Dec. 3, 1679, before Jo. Woodbridge,† commissioner, Caleb Powell being complained of for suspicion of working with the devil to the molesting of Wm. Morse and his family, had his case continued until Dec. 8, when said Morse gave bond to prosecute him before the next Ipswich court.

Sarah Halle, aged about thirty-three years, and Joseph Mirick, aged about nineteen years, affirmed that John Moores, boatswain of the vessel in which Joseph Dole was master, and Caleb Powell, mate, had often said in their hearing that if there were any wizards he was sure that Caleb Powell was one. He said this in their house. Sworn, Feb. 27, 1679, before Jo. Woodbridge,† commissioner.

Wm. Morse and his wife, both aged about sixty-five years, testified that "Thursday night being the 27th day of Nov. we heard a great noyse without agt the house: wherrupon my selfe & wife lookt out & saw no body, & the boy all this time with us, but we had stones & sticks throwne at us that we were forced to retire into the house againe, afterwards we went to bed & the boy with us, & then the like noyes was upon the rooffe of the house. The same night about midnight the doore being lockt when we went to bed, we heard a great hog in the house grunt & make a noyse, as we thought willing to gett out & that we might not be disturbed in sleep I rose & let him out & I found a hog in the house & the doore unlockt the doore was firmly lockt when we went to bed. The next morning a stick of — hanging in the chimney, they were throwne out of their place & we hanged them up againe, & they were throwne downe againe & some into the fire. 4. The night folowing I had a great awle lying in the window, the w^{ch} awle we saw fall downe out of the chimney into the ashes by the fire. 5. After this I bid the boy putt the same awle into the cupboard, w^{ch} we saw done & the doore shutt too: this same awle came presently downe the chimney againe in o^r sight & I tooke it up my selfe againe, the same night we saw a little Indian baskett that was in the loft before come downe the chimney againe: & I tooke the same baskett & put a piece of brick into it, & the baskett with the brick was gone, & came downe againe the third time with the brick in it, & went up againe the fourth time & came downe againe without the bricke: & the brick came downe a little after. 6. The next day being saturday, stones, sticks & pieces of

† Autograph.

bricks came downe so that we could not quietly dresse o^r breakfast & sticks of fire also came downe at the same time.

"7. That day in the afternoone my thread 4 times taken away & came downe y^e chimney againe my awle & gimlett wanting came downe the chimney againe my leather taken away came downe the chimney: againe my nailes being in the cover of a firkin taken away came downe the chimney Againe the same night the doore being lockt a little before day hearing a hog in the house I rose & saw the hog to be mine, I lett him out. 8. The next day being sabbath day, many stones & sticks & pieces of bricks came downe the chimney: on the munday m^r Richardson & my brother being there, the frame in my cowhouse they saw very firme. I sent my boy out to skare the fowles from my hogs meat: he went to the cowhouse & it fell downe my boy crying with the hurt of the fall: in the afternoone, the potts hanging ouer the fire did dash so vehemently one agt the other: we sett downe one that they might not dash to pieces: I saw the andiron leap into the pott & dance & leap out, & againe leap in & dance & leap out againe & leap on a table & there abide, & my wife saw the andiron on the table: also I saw the pott turne it selfe over & throw downe all the water: againe we saw a tray with wooll leap up & downe & throw the wooll out & so many times & saw nobody medle with it: againe a tub his hoop fly off of itselfe & the tub turne ouer & nobody neere it: againe the woollen wheele turned upside downe & stood up on its end, & a spade sett on it: Steph. Greenleaf saw it, & my selfe & my wife; againe my rope tooles fell downe upon the ground before my boy could take them being sent for them, & the same thing of nailes tumbled downe from the loft into the ground & nobody neere. Againe my wife & boy making the bed, the chest did open & shutt the bed cloathes would not be made to ly on the bed but fly off againe. Againe Caleb Powell came in & being affected to see o^r trouble did promise me & my wife that if we would be willing to lett him keep the boy we should see ourselues that we should be never disturbed while he was gone with him: he had the boy & had bin quiet euer since."

Tho. Rogers and George Hardy being at Wm. Morse's house affirmed that "the earth in the chimney corner moued & scattered on them: that Tho. Rogers was hitt with somewhat, Hardy with an Iron ladle as is supposed Somewhat hitt Wm. Morse a great blow but it was so swift that they could not certainly tell what it was, but looking downe after they heard the noyse they saw a shoe. The boy was in the corner at the first, afterwards in the house."

Mr. Richardson on Saturday testified that a board flew

against his chair and he heard a noise in another room which he supposed in all reason to be diabolical.

Anth. Morse affirmed that he saw the board before tacked with nails to the window, but his evidence was drawn at large by himself.

John Dole saw a pin and stick of candlewood fall down and a stone and a firebrand, but he did not see which way they came until they fell down by him.

John Tucker affirmed that the boy was in one corner and he saw no motion in him.

Elizabeth Titcomb affirmed that Powell said that he could find the witch by his learning if he had another scholar with him.

Steph. Greenleafe and Edw. Richardson affirmed.

Jo. Tucker affirmed that Powell said he saw the boy throw the shoe while he was at prayer.

John Badger affirmed.

Jo. Emerson affirmed that Powell said he was brought up under Norwood and it was judged by the people there that Norwood studied the black art.

Wm. Morse and his wife further testified "we saw also a keeler of breade turne ouer agt me & strucke me not any being neere it & so ouerturned. I saw a chaire standing in the house & not any body neere it did often bow towards me & so rise up againe. My wife also being in the chamber the chamber doore did violently fly together not anybody being neere it. I also saw an Iron wedge & spade was flying out of the chamber on my wife & did not strike her. My wife going to the cellar a drum standing in the house did rowle ouer the doore of the cellar & being taken up againe the doore did violently fly downe againe. My barnes doore 4 times unpinned I know not how. I going to shutt my barne doore looking for the pin the boy being with me (as I did judge) the pin coming downe out of the aire & did fall downe neere to me. Again Caleb Powell came in as before sayd & seing our spirits very low by y^e sense of o^r great affliction began to bemoane o^r condition & sayd that he was troubled for o^r affliction, & sayd that he had eyed this boy & drawed neere to us with great compassion, poore old man, poore old woman, this boy is the occasion of your grieffe, for he hath done these things & hath caused his good old grandmother to be counted a witch, then said I how can all these things be done by him, sayd hee, all though he may not haue done all yet most of them, for this boy is a young rogue, a vile rogue, I have watched him & see him do things as to come up & downe. Caleb Powell also sayd he had understanding in Astrology & Astronomy & knew the working of spirits, some in one country, & some in another & looking on the boy sayd you young rogue to begin so soone Goodman Morse if you be willing to lett

me haue this boy, I will undertake you shall be free from any trouble of this kind while he is with me: I was very unwilling at the first & my wife, but by often urging me to it he told me whither & what employmt & company he should goe, I did consent to it & this was before Jo. Badger came: & we haue bin freed from any trouble of this kind euer since that promise made, on munday night last to this time being friday in the afternoone: then we heard a great noyse in the other roome oftentimes, but looking after it, could not see any thing: but afterwards looking into the roome we saw a board hanged to the presse: then we being by the fire, sitting in a chaire, my chaire would not stand still but ready to throw me backward often times: afterward my cap almost taken off my head 3 times: againe a great blow in my polle, & my catt did leap from me into the chimney corner: presently after this catt was throwne at my wife: we saw the catt to be ours, we putt her out of the house & shutt the doore: presently the catt was throwed into the house: we went to goe to bed suddenly my wife being with me in bed the lamp light by o^r side my catt againe throwed at us 3 times jumping away presently into the floore, & one of those times, a red wastcoat throwed on the bed, & the catt wrapped up in it: againe the Lamp standing by us on the chest, we sayd it should stand & burne out, but presently was beaten downe & all the oyle shed, & we left in the darke: againe a great noyse a great while very dreadfull: againe in the morning a great stone being 6 pound weight did remoue from place to place we saw it: two spoones throwed off the table, & presently the table throwed downe: & being minded to write my inkhorne was hid from me, w^{ch} I found couered with a rag, & my pen quite gone: I made a new pen & while I was writing one eare of corne hitt me in the face & firesticks & stones throwed at me & my pen brought to me while I was writing with my new pen, my Inkhorne taken away & not knowing how to write any more, we looked under the table, & there found him, & so I was able to write againe: againe my wife her hatt taken from her head sitting by the fire by me the table almost throwne downe againe, my specticles throwne from the table & throwne almost into the fire by me & my wife & the boy: againe my booke of all my accounts throwne into the fire & had bin burnt presently if I had not taken it up: againe boards taken off a tub & sett upright by themselves & my paper do what I could hardly keep it while I was writing this relations & things throwne at me while a writing presently before I could dry my writing a monmouth hatt rubbed along it but I held so fast that it did blott but some of it: my wife & I being much affraid that I should not preserve it for the publike use did thinke best to lay it in the bible, & it

Wm. Hooper dying intestate, court granted administration to Elizabeth, the widow, and there being three children alive, and other in prospect, and an inventory of 95li. brought in, court ordered 8li. to the eldest son, 4li. to each of the other three, the land to be bound for security. If any died, the others were to receive their share.

John Harris dying intestate, court granted administration to Homer Hall and Lewis Lafort to bring in an inventory* to the next court.

lay safe that night, againe the next I would lay it there againe but in the morning it was not there to be found, the bag hanged downe empty, but after was found in a box alone: againe while I was writing this morning, I was forced to forbear writing any more I was so disturbed with so many things constantly throwne at me."

John Badger affirmed that Morse said he could find out by astrology or astronomy whether or no there were diabolical means used, etc.

Mary Tucker, aged about twenty years, deposed that Powell told her in her house that coming to Morse's house, and the old man being at prayer, he thought it not fit to go in, but looked in at the window. He said he had broken the enchantment for he saw the boy play tricks while Morse was at prayer, flinging a shoe at Morse's head, etc. Mary Richardson affirmed the same. Sworn, Mar. 29, 1680, before Jo. Woodbridge,† commissioner.

Anthony Mores testified that occasionally being at his brother's house he was a witness to the things which had happened there. Sworn at Newbury, 8 : 9 : 1679, before Jo. Woodbridge.†

*Inventory of the estate of John Harris, cooper, taken Mar. 27, 1680, by Richard Walker† and Abraham Tilton†: A bung boarer and two shaveing Knives, 10s.; A Crissiff, 7s.; a Round shave, 6d.; an Ax, 8s.; two Adses, 12s.; A heading knife and howell, 4s. 6d.; three compasses, 6s.; two Crowsing Irons, 3s.; two breast Wimble Stocks and a head Pullee, 3s.; Chalk, 1s. 4d.; three neckcloths, 14s.; other linnen, 4s.; two shirts and an old neckcloth, 5s.; Woolen Clothes and Stockins and an old pr. of shooes, 8s.; a hatt, 2s.; a chest, 10s.; a Pike Staff, 2s. 6d.; Trusse hoops and other hoopess, 5s.; four yards of Cloath and four dozen of buttons, 1li. 4s.; Woollen Clothes, 10s.; Stockins, 8s. 6d.; Neck clothes and other Linnen, 5s. 3d.; Gloves, 9d.; a shirt, 4s. 6d.; shooes, hat & Apron, 9s.; a Comb Knife and Steel, 1s. 3d.; Ribbin,

† Autograph.

A bill of cost out of the estate of five pounds to Hanah Audway.

John Peabody was sworn constable for Rowley Village, and Joseph Willson and Joseph Robinson, constables for Andover.

Samuell Balch, Jo. Herrick of Beverly and Sam. Dodge of Wenham took the freeman's oath.

John Wheeler and his wife were fined for fornication.

Upon complaint of Nath. Browne against Samuell Lomas, the latter was fined and released of his bond for good behavior. Said Browne was advised to carry himself moderately.*

a purse, 1s. 10d.; in money, 2s.; 1000 of Staves, 1li. 10s.; Debts upon the booke due to the estate, 7li. 19s. 2d.; total, 18li. 1d. Debts due out of the estate, 7li. 19s. 3d.

Richard (his mark) Hutton and John Knoulton, sr.,† being desired by Hannah Ardway to bring in a bill of what she had expended upon a young man named John Harris who was wholly upon her hands for meat, drink, washing and lodging for nine weeks in a very sad, helpless and noisome condition, brought in a bill of 9s. per week, amounting to 4li. 1d.; for expense of the doctor, 4s.; twice going to Salem, 4s.; for Linnen spent about his sores, 1s.; John Severy providing the coffin and digging the grave, 10s.; total, 5li.

Elizabeth Graves, aged thirty-nine years, testified that being at Lewe Leford's house, John Harise, lately deceased, came into the house and said to Lewe's wife, "Cozen, cozen Janne: I will now tell you how you came to be a kinn to me. youre fath^r and my Fath^r ware owne Brothers for I haue now sartaine inteligenc by a leter from my fath^r:" He showed the letter, and often came to the house.

John Dane testified.

*Warrant, dated Mar. 12, 1679, for the appearance of Samuel Lummas upon complaint of Nathaniel Browne for assault on the highway whereby he was cut by an ax, also for threatening other neighbors and abusing them, signed by Daniel Denison,† and served by Thomas Knoulton,† deputy for Nath. Rust,† constable of Ipswich, who also summoned as witnesses, Mrs. Richar Hubbard, Goodman Roaper, Goodman Dafison, Goodman Tomson, Mark Graves, sr., Lues Wilford, Steven Sawyer, John Loufern, Hana Amarson, Judy Browne and John Browne.

John Colborne testified that he, Nathaniel Browne and Joseph Annaball went about five weeks since to Chebacco for a load of hay for Goodman Graves and did not hear Browne say a word against Lummus, only deponent told Browne that Lumass had threatened to kill his pigs if they came upon his

† Autograph.

land, and Browne said he would probably do it as he was a malicious fellow. Sworn in court.

John Colborne testified that when he was sledding timber for Mr. Quarles, he and Browne were together all day and deponent said that Lummus was always abusing him, calling him jack-a-napes and loggerhead, to which Browne answered "that is his practice, it is well he did not strike you." Sworn in court.

Nathaniel Browne's complaint: that on Mar. 15 in the evening he was going in the highway toward Mr. Hubbard's, when he met Samuel Lumasse and asked why he was always abusing him. Lumasse stepped up to him and said "you Rouge you I will tell you the Reason," and took his ax off his shoulder, wounding him in the face. Asking again what he meant, replied he, "why you Cowardly Rouge you because you and Walker Swore away from me tenn bushels of Corne," etc., calling Walker devilish. He asked him if he was not ashamed to compare honest men with the devil; he said, "honest men, they are members indeed but the deuell is in their hearts," etc.

Daniel Davison complained that when he went to Lumass' house to complain of the damage his swine had done in his corn, Lumass called him a Scotch rogue, and told him to get out of his ground or he would knock him down, he having a ten pound rock in his hand.

Alexander Tomson heard Lumase at Graves' house call Davison a limb of the devil, saying that all the Scotchmen were hypocrites and devils.

Lewis Luffortt testified.

Stephen Sawyer and John Loverin, both aged about seventeen years, deposed concerning the meeting of Browne and Lummus.

Joanna Emerson deposed that, being at Lummus' house, she heard him say that if Colborne came there to chop wood, he would chop him or his oxen and told her to tell him so.

Mark Graves and Lewis Luffortt testified that Browne came into Mr. Hubbard's house with his face cut and handkerchief very bloody. Luffortt said that he was at Capt. Whiple's farm to grind his ax and helped Lummass to grind his, and later he saw him going by his house homeward with an ax over his shoulder.

Daniel Davison heard Browne complain at Edmund Potter's house to John Deane about his leg which he had hurt with a stick while sledding, etc. Lummus mocked Browne by speaking through his nose for which some rebuked him. Sworn, Mar. 12, 1679, before Daniel Denison.*

Nathaniell Browne's* complaint to the Ipswich court.

* Autograph.

Mr. Jeremiah Hobart was fined upon his presentment.*

Joseph Anaball, aged twenty-one years, deposed. Sworn in court.

Mathew Anable, aged about twenty-five years, deposed.

Jno. Lee, aged about thirty-four years, testified that he was riding along the Bay road toward Wenham and when he came to Mr. Richard Hubberd's house, he heard loud voices and stopped his horse. He recognized the voices of the two men, and went to Lummus' house and waited till he came home. Sworn in court.

Mary Whipple, aged about twelve years, deposed that she saw the fight when she was between Hubberd's and Tilton's houses.

Nathaniell Brown, aged about twenty-nine years, testified that Lummus abused him when his brother John Browne was with him.

John Browne deposed that Lummus was so wicked, lazy and careless with his creatures and had so much of the devil in him that he was a great affliction to those who lived near him. Sworn, Mar. 12, 1679, before Daniel Denison.†

Samuell Abye, aged about thirty-one years, and Thomas Abye, aged about twenty-four years, deposed. Sworn in court.

Margret Davison, aged about forty-seven years, testified that Lummus held an ax over her head when she was talking with him on some business. He told her she told lies, and if she went to heaven, he wished he might never go there. Sworn in court.

William Quarells, aged about thirty-three years, and Sewsanah Batten, aged about fifteen years, deposed concerning the fight at Hubberd's hill, etc. Sworn in court.

*William Averall testified that upon Topsfield town meeting day near night after the meeting, several of the neighbors went up to Mr. Huberd's, and deponent noticed that he was displeased with the town for not accepting the propositions he had made to them. There was some mention made of the parsonage and Mr. Hubberd said "I would that parsonage ware a fire and som of them int." To which deponent "made soe bould as to Reply: Sir: I hope you doe not spake now Just as you thinke." Sworn in court.

Isaac Cumins, sr., deposed that Mistress Huberd replied to William Averall, "Noe, he Does not mean soe." Sworn in court.

Joseph Towne and Micall Donill deposed that Mr. Huberd said at Towne's house that the town would never have a quiet town meeting until they had given him half the parsonage. Sworn in court.

† Autograph.

John March complained against John Webster of Newbury for altering a warrant granted by Mr. Woodbridge to his prejudice.

Henry Jaquis made oath that he was attached to answer Rich. Kent at this court, showing a copy of the attachment, upon which he was allowed costs.*

John Emery was abated upon his petition.

Walter Fairfield being bound to bring Sarah Needham into court, and not appearing, court declared his bond forfeited, and upon petition of said Fairfield, his bond was moderated. Richard Hutton was allowed costs.

Joseph Mirack, complained of for stealing a sheep from John Bartlett, owned it in court and was ordered to pay treble damages and to be whipped or pay a fine to the constable of Newbury.

Upon a general complaint of a stop by a gate set up at Newbury bridge, court appointed Capt. John Appleton, Mr. Rich. Dummer and John Pickard to treat with Thomas Thurill about the bridge near the said Thurill's house to see what he has laid out in repairs and report at the adjournment of this court, Capt. Appleton to appoint the time.

Abraham Perkins certified that Mr. Hubbard and he were agreed that if the court had not given to him the 33s. which were respitted, the last respitting of that judgment being entered in the close of it till the court take further order, the court declared that that was not giving it to him.

Court being sensible of the mischief that had been done by horse racing and to prevent further mischief, ordered that

John Franch and Pheby Franch deposed that being at the dwelling house of Mr. Jeremiah Houbard, and having much discourse about the synod meeting and church affairs and power, deponent told him that if he had told them that he had been of that mind before he was ordained, he would never have been ordained in Topsfield. Then Mr. Houbard spoke cursing words "and wished the pox had you and all that were of your mind." Sworn in court.

*Copy of writ: Richard Kent of Newbery v. Richard Dole, sr.; trespass, for carrying away his hay, claiming title to his land; dated Mar. 11, 1679-80; signed by Jo. Woodbridge, commissioner.

Bill of cost, five men going to Plum Island to see the bounds, etc.

the persons hereafter convicted for running races upon horses or jades in the streets of Ipswich, or for abetting and encouraging others or laying wagers on any side, should pay 40s. each time.

Upon a petition from Topsfield as to who should appoint a place for keeping the town stock of ammunition, court judged that it was the chief officer's place to do it.

Returned by Mr. Woodbridge: Tho. Tewksbury, for a rescue was fined 40s.

Roger Darby and his wife complained against Sam. Dutch and Jo. Dutch, also Mary, wife of Robert Dutch, sr., upon suspicion of stealing some goods, and it was left to the next session of the court.

COURT HELD AT IPSWICH, MAY 4, 1680, BY ADJOURNMENT

Zacheus Perkins, being brought before this court for burglary in breaking up Tho. Maule's shop and stealing several times from others, and confessing, was ordered to pay 250li. and the goods to Maule; 24li. to Mr. Batter of Salem, and the remnant of black double prunella seized by the constables; to Michall Donnill, three bushels of wheat, four and a half bushels of barley, and a half bushel of Indian corn; to Goodman Robison of Topsfield, 15s. in money and the gold ring found with him; to Mr. Joseph Whiting, 30s. in money and the return of the silver cup stolen; to John Redington, 9s. For his burglary, said Perkins was to be branded upon the forehead with the letter B, as the law determines, and for his theft from Mr. Batter, it being above 10s., he was to be openly whipped. For his other thefts he was fined 5li. He was to be whipped and branded on the 6th instant, immediately after lecture.*

*Search warrant, dated Apr. 8, 1680, for goods of Thomas Maul of Salem which were stolen from him, signed by Daniel Denison.†

Thomas Maule's bill of cost for searching for the goods.

Mr. Batter's bill of cost, 16s.

Letter of attorney, dated Apr. 29, 1680, given by Joseph Whiting† of Lynn to Mr. John Gould of Topsfield. Wit: Andrew Mansfield† and Joseph Far.†

Thomas Mawle and wife Naomi testified 13 : 2 : 1680

† Autograph.

that the night before election in 1679 their shop was broken into. They had on hand 100li. worth of choice goods, which were stolen. Affirmed "in ye presence of him who made all things & knowes all things: before whom wee must give account of all things," before Wm. Hathorne,* assistant.

Hannah Sibley, aged about seventeen years, and Jonathan Flint, aged about sixteen years, deposed, 13 : 2 : 1680, they then being servants to Thomas Mawle, that they had several hundred pounds' worth of new goods in a pile and when they went to bed about nine o'clock they left them in the shop. The goods were silks, ribbons, cambriques, hollands, fine serges, etc. Sworn, 25 : 2 : 1680, before Wm. Hathorne,* assistant.

Invoice of stolen goods: 4 yds. of rich dukape at 12s., 2li. 8s.; 4 yds. of ditto dukape, at 12s., 2li. 8s.; 7 yds. of Cambrick, and 1 M 3-4 pins at 3s., 1li. 2s.; 8 yds ditto Cambrick, 1li. 18s.; 2 1-4 yds. of holan and 2 yds. of galum, 10s. 6d.; 4 yds. of locaram, 13 yds. galum, 10s. 3d.; 1 3-4 yds. of locaram, 11 yds. galum, 5s.; 2 1-2 yds. of kors ditto hollan and 6 knives, 8s.; Cambrick, 1li. 10s.; 8 yds. fine white foustoun, 10s.; 17 1-2 yds. mix prenelah and 3 doz. silver bottons, 1li. 16s. 6d.; 13 1-4 yds. Camlet and 3 1-2 gros gimp buttons, 1li. 10s.; 6 1-2 brod shearg salune, 1 koman kaces, 18s. 6d.; 4 yds. of serge, 9 pare of gloves, 15s.; 5 yds. porstotana and bundle of silk, 12s.; 2 yds. 1-2 of black prenelah and 1 knif, 5s.; 2 1-2 of paragon, 5s.; 1 1-4 of serge, 14s.; 3 3-4 of Cambrick, 10s.; 1 coat of mix prenelah, 15s.; 1 pare of briches lind of black stof, 5s.; 1 Remnant of serge, 2s.; 1 black silk skarf, 5s.; 1 blu silk skarf 2 yds. long, 2s.; 1 Remnant of ditto of blu silk, 2s.; 3-4 yds. of slace clauf and 1 m. pins, 2s.; 1 1-4 cambrick and 8 yds. of blu ribb, 6s.; 57 yds. 1-2 of 4d. & 6d. red black & gren, blue and white ribbin, 1li.; 2 pare of gloves, 2 kards bottons, 1s. 6d.; 1 yd. prenelah; 4 yds. Colard linn., 4s.; 1 Remannt prenelah, buttons, silk and thread, 3s.; total, 22li. 2s. 9d.

Theophilus Wilson* and Nath. Rust* testified that Perkins confessed that he stole several things from his father and Mikel Dunil of Topsfeld, Mr. Batter of Salem, Mr. Whitton of Lin, Mr. Maul, Dority Robason of Topsfeld and John Readinton.

Zacheus Perkins' confession, Apr. 9, 1680, before Daniel Denison:* that at May election he met in Wenham a Frenchman named Nicolas Jennings whom he knew at Narriganset but had not seen more than once or twice. He invited him to go to Salem to drink. They went to Salem in the evening and alighted in the street near Mr. Croad's, leading their horses into an orchard where Nicholas bade him tarry and

* Autograph.

Upon hearing the complaint of Roger Darby against John Dutch and Mary Dutch, wife of Robert Dutch, sr., court judged that Samuel Dutch not giving a clear account of some kenting, and Mr. John Usher and others speaking positively about it, he should pay to Roger Darby 54s. in money and cost of the hearing. For the other pack of goods valued by Darby's invoice at 27li. or 30li., no positive evidence appearing of the receipt by the Dutches, court declared that they leave the parties concerned to proceed on their own account. Appealed to the next Court of Assistants at Boston. Samuell Dutch bound, with Deacon Wm. Goodhue and John Sparke as sureties. He was also bound for good behavior, with Goodhue, Sparke and Thomas Clarke as sureties.*

look after the horses. After two hours, Nicholas returned and bade him go along with him and they came to Mr. Mall's shop where the door was open. Nicholas went in and brought out a bundle of goods which he gave Perkins which he took home to Topsfeild. Some he had disposed of. Nicholas brought out also a sack of goods which he laid on his horse. Soon they parted as they heard the watch coming, Perkins going to Topsfeild and Nicholas to Marblehead, and Perkins had not seen him since. The latter said he found the silver cup at Lin and the ring at Topsfeild on the street. Thomas Mal was bound to prosecute.

Letter of attorney, dated Salem, May 3, 1680, given by Edm. Batterf to Mr. Edward Flint or Mr. Walter Fairfield to appear for him, as he could not go to court and did not think it worth his labor. Perkins had stolen from him a piece of double prunella, costing him 6li. 10s. at Boston, he having cut off three or four yards; also 20 yds. of Irish serge at 4s. per yd., about a yard wide; total, above 10li. in silver.

*Roger Darby's bills of cost, 10li. 14s. 4d., and 3li. 7s. 10d.

Lucretia Derby affirmed that John Duch and Sam. Duch agreed to bring her goods in their boat from Boston to Ipswich when "I was with y^m in boston a litell time befoare y^t Dreadfull fire at Boston my goods I toald y^m they should find in miles Forsters warehouse (to wit) one bayle of goods (y^t which is wanting) & an Iron furnas in y^e lower ware house & the other bayle of goods with sum other things in y^e uper Roome of y^e sayd ware house I earnestly desired y^m to bee Carfull of y^m & toald y^m pertieckulerly how they lay, yⁿ they promised & faithfully ingaged as full as words need bee spoken that they would Bee Carfull of y^m as If I ware present with them &

† Autograph.

bring y^m & I writt y^m a memarandum of y^m & Read it to them & tooke it to John Duch & hee read it to mee & I had payd y^m for the fraite of the sayd goods befoare otherwayes I could haue sent y^m by Giles coarse as well as Layd y^m in y^e ware house for hee Lay there in y^e Dock at y^t time."

Roger and Lucretiah Darby affirmed that the week after that dreadful fire in Boston they went to Boston "and in the way wee mett wth Josiah Clark and he tould us that John Dutch desired him to tel us that we should Com and look after our goods to dry them and said that thay had saued all y^e goods Except a few lampts which were Carried to the towne house, when wee came to Boston wee went one Board John Dutch his sloop then wee asked Samuell and Beniamin Dutch for our goods, then thay shewed us som of our goods then wee not seing but missing a whole Baile of goods and good part of our other baile of goods wee asked them where thay ware thay said theire ware som at theire Cosen Babels wee said wee lacked a Baile of hobberdasher goods that stood in the lower Roome of the warehouse by the furnish then Beniamin sd thay had all y^e goods, then Samuell said its like wee lost them in the streete in the time of the fire and sd it was Cried that all goods should be Carried to the townhouse if any kept any it should be theft and said lett us go theire and see for them so Samuel dutch and wee went together but Could not find it, but found part of our lampts theire, then Returning to the sloop againe wee Could not find it one Board then thay said it may bee it is at John Aires his house or at Babels so wee went to Babels and Could not find it theire then Samuell Dutch sd it was not at John Aires his house but sd it was Deacon Goodhews pack that was theire so wee did not go theire and wee missing a peece of kenting out of o^r other Baile of goods and shewed them our invoyce and Samuell Answered as he did to the Baile thay might loose it in the street in Carriing the goods a Shoare wee desiered them to look and sertch for it so John Dutch went and opened his chest and it was not theire But wee did not see in Samuells Chest and he was not free wee should see into it."

The following goods Lucreatia Derby could prove that the Duches sold since the fire at Boston, although they said they had sold none, and when Samuell Duch went out of their house he said he would trounce them unless she would go to the Major and say she was satisfied: greene Apron strings, Cristopher Boales' wife; Black Riben, a good quantity, James Garro, Samll. Pearse, Grace Dines; yellow Riben, Caleb Kimbal's wife; worsterd Riben or caddis, Caleb Kimbal's wife, Abigail Bosworth; cloath Culered galloone, Cristopher Boals' wife, Sarah Poter; blew lining, Edward Allen, Joseph Wood; Black galoone, James Garro, Mary Boalton, Ellizebeth

Boals; Soing & stiching silk, Ann Starkwether, John Clark's wife; three soarts of Ivory coombs, James Chut's wife, James Garro, Mary Boalton; tape and Great pins, Mary Boalton; fine thread the same soart as in ye Invoyes, Edward Allen, Mat Gilburd, Grace Moses; speckled hankerchers which has Bin obserued they frequently woare befoar y^t Samuells house was searched & since it has bin tacken notis (by sum) y^t they haue not woarne of it; preast yellow bayes, Sarah Poter; Sarge, Mary Boalton; Loope Lase or Boben a good quantity, Richard Smith's wife; Norwig stuf, Cristopher Boales' wife; two soarts of silk lases, Abigaile Bosworth; sterrups & sterrup leathers, Samll. Sarle, James Garrow; bridle bits & bridle, Caleb Kimball, Sam. Sarle; Box Iron, Sam. Sarle; Butens tipt with goold, Sam Sarle, James Garro; Broad Riben yt Sam. Duches wife cauld 18d. Riben, Rich. Smith's wife, Grace Sarl; Small yeare Knot Riben, a good quantity at all 3 houses, Mary Boalton, Sarah Kinsman; black silk lase I think made with my silke, Edward Allen; women's Read stockens, Grace Moses, Tho. Baston's wife; Gearles or Smauler Stockens, Richard Smith's wife; a good quantity of goold galloone I think soe caled or otherwayes goold case; Black stufe, Hannah Bastin, Mary Choot; "Samuell Duch sayd he had 2 peeces of y^e sayd Lase when I asked him whare hee had it hee sayd hee bought it at boston & thought it was on y^e Book still, soe Sam I sayd thy wife sayd to day y^t you had it at Puscadaway in an ould Dept & you could gett nothing elce. yⁿ hee sayd hee had two peeses of it, James Kreeke John hadly."

Concerning the kenting, Lucreatia Derby declared that they found the fag end of it in Dutch's house, and the remnant was paid by Duch's wife to Abigaile Bosworth; the dirt or mud from the dock showed on both pieces; Sam. Dutch owned at her house that he bought the cloth that she claimed as hers at Mrs. Heathes', the corner shop against the Town house, and his wife said she bought it at Mrs. Avaryes who was Mrs. Tapen and that she found fault with it because it was dirty, "why sayd hee I haue two or three peeses besids yo's in house, woman."

Lucreatia Derby's plea: that her goods were left in good condition to be taken on board in charge of Mingoe, Miles Foster's negro, who had charge of the warehouse to be delivered to Jno. Duch; they were placed conveniently in the warehouse, the pack of goods in the lower warehouse on the head of a cask with her name on it, an iron furnace of her husband's standing by, and her other goods in the chamber over; the merchants' goods were all saved, but the lower warehouse door could not be opened in the time of the fire so all the goods in it were burned; that the Dutches "being by people tacken notis of y^t since the fire at Boston they haue

Risen mightly & haue bin able to pay thare Debts long due & to hire people to work & to pay y^m in goods & to supply theare familyes with new & good things;" when Dutches house was searched they found new blue linen made up into garments which his wife said he had bought in Boston when they came from the southward, also two ounces of silk which Samuel's wife said they bought of Jno. Apelton, but they only had seven skeins of him, and three fag ends of linen cloth like hers with the dock mark, etc.

Copy of the proclamation after the Boston fire, made Aug. 8, 1679, by Symon Bradstreet, Gov., Edward Tyng, assistant, Joseph Dudley, Humphrey Davy, assistant: "Whereas by the late Awfull Providence of God the breaking forth of fier the last night in the Towne of Boston to the laying wast a Considerable parte of the Towne, The Inhabitants were necessitated to be beholding vnto such who offered there Assistance for the Remoovall of there goods, much where of was throwne out of the warehouses ouer the wharfes and into boates or other vessells, many persons being so wicked as to take the advantage of such occasions under pretence of preserving the estate of those in distresse for the right owners, to make a prey thereof and feloniously to deteyne them to their owne use thereby adding affliction to the Afflicted. These are therefore to declare and make knowne unto all persons whatsoeuer, who haue any Goods or estate belonging unto any person or persons whose habitations or warehouses were consumed by the sayd fier (or of others who were forced to remoue by reason of the dainger thereof) in their Custody charge or knowledge on board any boates, vessells, houses or in any other place or places who shall not only this present day of publication forthwith discouer and make knowne the same unto the owners thereof, or els bring them vnto the Townehouse or otherwise make knowne the same vnto the Govern^r magistrates or some other lawfull Authority such person or persons so Concealing any such Goods or estate or seeking to convey away the same shall be accounted theeives and be most severely proceeded against as such." The marshal of Suffolk was ordered to make proclamation by beat of drums throughout the town of Boston, and "to press any porter to bring any such goods to the Towne house as are in the hands of such as Cannot bring them themselues who are to be payd by M^r Howard out of the sayd Goods or by the owners when they receive them." On Aug. 8, 1679 the constable of Charlstowne was ordered to publish this declaration in several parts of the town; returned by Samuel Hunting, constable. Copy made by Edward Rawson,* secretary.

* Autograph.

Account by John Chapman* of goods bought of Mrs. Mary Avery, July 30, 1679: 12 ps. bl. tapes at 4s. doz., 4s.; 4li. Cull. thread at 3s. 3d., 13s.; 1 doz. pins at 12s.; 1 doz. pins, 11s.; 2 doz., 9s.; 2 doz. Horne Combs at 4s. 6d., 9s.; 1 doz. ditto at 2s. 6d.; 4 ps. Cotten tape at 3s. 6d., 14s., 6 ps. Cades at 2s. 9d., 16s. 6d.; 1li. silke at 24s., 1li. 4s.; 21b. nuts at 9s., 18s.; 1li. Cloves, 15s.; 1li. Mace, 19s.; 1 doz. Ivory Combs, 13s.; 2 doz. at 10s., 1li.; 1 doz. at 5s.; 6 gr. gimp buttons at 2s. 6d., 15s.; 1 dozen primers at 4s.; 1 ps. pentado, 12s.; 1 neckcloth stuff, 30s.; 2 ps. Alijars at 5s. 6d., 2li. 16s.; 3li. liquerish at 2s. 6d., 7s. 6d.; 1 dozen horn haft knives at 5s.; 2 dozen at 2s. 6d., 5s.; 1 doz. at 3s. 6d.; 2 ps. blew lining, 31 & 24 3-4 yds., 1li. 18s.; 13 Bengall neckclothes at 2s., 1li. 6s.; 1 paper of fillett at 4s. 6d.; 1 ps. pellyony Cloth at 26s.; 1li. threed at 6s. 6d.; 1-2 li. nuns threed at 14s.; 1-2 gr. gallom at 17s.; 3 ps. 6d. Ribin at 12s. 4d., 1li. 17s.; 1 ps. green ferritt at 9s. 6d.; 1 dozen gallom at 6s.; 1 doz. gloves at 15s. 6d.; 1 ps. 8d. Ribin at 15s.; 2 packetts pins at 6s. 6d.; 4 ps. Cadis at 2s. 6d., 10s.; 3 ps. Cullered tape at 20d., 5s.; 4 bunches knitting needles at 2s.; total, 29li. 10s. 6d. One barrrell of pipes containing 16 gross at 3s. per gross, 49s. 6d. Joseph Rowlandson and James Woodman testified that they carried this bail of goods to Miles Foster's warehouse and delivered it to his negro for Lucretia Darby. Sworn, 19 : 1 : 1679, before Anthony Stoddard,* commissioner.

Bill of goods, dated Boston, July 31, 1679, sold by Jno. Usher† to Roger Darby: 4 ps. Kenting at 18s., 3li. 12s.; 1li. Nun's thred, 9s. 6d.; 2 paper Manchester, 3s.; 2 papr. pins, 5s. 6d.; 1 ps. sleasy holland, 1li. 5s.; 2 ps. Cullrd. Callico, 1li.; 1 ps. fustain, 19s.; 2 ps. Ribon, 18s.; 3 Rs. paper, 18s.; 2 ps. blew Linen, 74 3-4 yds. at 10d., 3li. 2s. 3d.; total, 9li. 11s. 3d.

Samuel Dutch's answer.

Jno. Usher testified that the piece of linen showed by Nathaniel Rust was the one he had marked with his own handwriting and sold to Darby and that he never sold any of the same sort of linen to Thomas Heath of Boston. Sworn at Boston, Apr. 12, 1680, before Elisha Hutchinson,* commissioner.

John Usher deposed that a piece of kenting showed by Nathaniell Russe, constable of Ipswich, was sold by him to Mrs. Darby and none of this mark to Mrs. Avery or Mrs. Heath, both of Boston. Sworn before Anthony Stoddard.*

James Garrow testified that Ben. Dutch gave him a small ivory comb and John Dutch gave him six yards of black galloon, and he bought black ribbon of them. After the fire Ben. brought home stirrups with leathers on them. Samll. Dutch

* Autograph.

was bound with Mr. John Appleton and Edward Lummus as sureties. Sworn before Daniel Denison.*

Rich. Knight* and Elizibeth Gross*, "from Boston at y^e Corner shop next to y^e George," certified that they had not sold for several years any goods to the Dutches of Ipswich.

Saml. Pearce, aged twenty-seven years, deposed that he bought black ribbon of Saml. Dutch. Sworn in court.

Mary Pearce, aged twenty-two years, testified that before the great fire in Boston, she saw the wife of her brother Samuell Dutch have about twelve yards of blue linen. Sworn in court.

Elizabeth Gross, aged about twenty-six years, deposed that she told Mrs. Darby that the Dutches never bought any goods of her but what they might have bought of her sister Abigall Phillips, who sometimes kept her shop, she could not tell. She thought she meant the Dutches of Salem and not the Dutches of Ipswich. Sworn, Apr. 21, 1680, at Boston, before Hum. Davie,* assistant.

Mary Bateman, aged about eighteen years, deposed that going to the dock a day or two after the fire, Samuell Dutch told her that he had saved her cousin Darby's goods and they were there drying. Sarah North, aged about twenty-eight years, deposed the same. Sworn, Apr. 12, 1680, before Thomas Savage,* commissioner.

Abigall Bosworth, aged about twenty-seven years, deposed that Abigall, wife of Samuel Duch, gave her linen cloth in pay for work, also red worsted ribbon, black ribbon and one silk lace. Sworn in court.

John Hadly deposed that they compared the mark on the cloth brought from Abigall Bosworth's father's house by constable Russ to deponent's dame Darby's shop, said Russ and Mr. Norton being present, and it was the same hand, etc. William Norton* testified to the same. Sworn in court.

Grace, wife of Tho. Dines, testified that Goody Duch said that her daughter Abigall, wife of Sam. Duch, etc.

John Hadly, aged about twenty-seven years, deposed that the evening Sam. Duch's house was searched, Sam. and John Dutch came to their house in great anger, speaking reproachful words against Quakers, and deponent being in the cellar under the room in which they were talking heard Roger Derby say, "Sam you must giue Loosers Leauē to speack for I can prooue y^t you haue soald sum pertick goods of such soarts as I haue Lost." Sam said, "Bare witnes, Bare witnes, I desire noe beter play." Lucretia Derby said, "Sam you haue Bin tacken notis of y^t since the fire you haue rissen uery much & haue soald seuerall goods as siluer Lase prethee Sam Tell mee whare hadst thee y^t siluer Lase y^t is so much taulked of." Sam replied that he bought it in Boston and

* Autograph.

thought it was on his book still. "Soe Sam thy wife sayd today y^t you had it of a woman at pascaddaway in an old Dept & could gett nothing elce," said Lucretia Derby, "Sam I am toald y^t you haue payd Shoomackers & spiners & such people as you haue to dooe with in goods." Sam said he would trounce her if she did not go to the Major and say she was satisfied. She replied, "Noe Sam I shall neuer Dooe that. As I sayd to thy wife soe I say to thee that Lining cloath I saw at thy house y^t I suspected I Dooe beleue tis mine," etc. Sworn in court.

Hannah Smith, aged thirty-six years, deposed that last winter Abigail Duch showed her gold galoon upon a board, cloth and silk bobbin, and bought of her broad black ribbon at 1s. 3d. per yard and one pair of red stockings for 2s. Sworn, Apr. 29, 1680, before Daniel Denison.*

James Crick, aged about twenty-one years, deposed. Sworn in court.

Mary Bolton deposed that while she lived with Robert Duch, sr., her dame used to go to a closet in said Mary's room which was kept locked and take out goods, paying her sometimes in goods for her wages, etc. Sworn, Mar. 26, 1680, before Daniel Denison.*

Mary, wife of James Chot, deposed. Sworn, Mar. 26, 1680, before Daniel Denison.*

Hannah Baston, aged twenty-eight years, deposed that Sam Duches wife sold her a pair of women's stockings for 2s., and gave her a silk lace and would have sold her black stuff for a cap, and ribbon to bind it, etc.

Samuell Perkins, aged about twenty-seven years, deposed that in March, 1678, sending some pay down to Boston by skipper John Dutch to Mr. Bazoon Allin, tanner in Boston, three bushels of rye in a sack, he went and met the vessel in Boston. Upon measuring it there, they found it half a bushel short.

Sary Potter, aged about nineteen years, deposed that she bought of the Dutches serge, skeins of silk, flannel, galoon, etc. About two years and a half ago when she nursed Abigaill Dutch she saw remnants of ribbon, etc. Sworn in court.

Mary Gaines, aged about forty years, deposed that John Duch told her that the owner of the warehouse told him that Derby's goods were in the house where the copper was.

Ana, wife of John Starkwether, aged about twenty-five years, testified that she bought silk of Abigall Duch and the latter said if she would spare her some milk she would pay her in ribbon. Sworn, Apr. 1, 1680, before Jo. Woodbridge,* associate.

John Aires, aged thirty-one years, deposed that the night

* Autograph.

of the great fire, he helped John Dutch to save the vessel and goods, being forced to cut away the mast, and the fire was so hot that they had to leave her. They tried to save Derby's goods but were so tired with work that they could not carry them through the dock and mud, whereupon they cut the pack open and took some of the goods to Dutches chest. They buried the remainder in the mud with some goods of Deacon Goodhue's of Ipswich also, and thought the vessel would be burned. When the fire abated a little they returned and took the goods out of the dock and put them on board again to bring home. Sworn, Mar. 25, 1679-80, before Edward Tyng,* assistant.

Jno. Staniford, aged about thirty years, deposed that being at Exeter lately in company with Steven Crosse, the latter was desired by Mrs. Derby to find out what goods Dutch had recently sold in that place. They had sold several things at cheap rates, etc.

Hanna Kimburle deposed that she had bought goods of Sam. Dutch and his wife ever since he was married, and had since the fire yellow ribbon and one lace to lace a waistcoat with, a bit of caddis, stuff for a cape and a little galoon. Sworn in court.

Grace Sarle, aged about seventeen years, deposed that she heard old Goody Duch say that her daughter Abigall had but half a dozen yards of ribbon and that she sold the fine thread for her cousin Sue Babell of Boston for butter. Abigall had said she had eighteen penny ribbon fit for sleeve strings which she intended to wear herself when she went to Boston. Deponent noticed that Robert Duch and family generally wore speckled handkerchiefs before the house was searched, but since have worn none.

Joseph Wood, aged about sixteen years, deposed that John Duch promised him blue linen for wood when the bark of which Giles Coarse was master should come in. Sworn in court.

Mingo, negro servant to Miles Forster, testified that Derby's iron furnace and pack were taken out of the warehouse before the fire. Sworn, 22 : 1 : 1679-80, before Anthony Stoddard,* commissioner.

Ellizebeth, wife of Cristopher Boales, testified that she had of Sam. Duch's wife galoon of black and cloth color, green ferret ribbon, stuff and fine white thread which she paid for in "pares & spining." Sworn in court.

Edward Allin testified that his wife had thread, blue linen, galoon and black silk lace.

John Hadly deposed that Joseph Roulandson said he carried the bail of goods to the warehouse, etc.

* Autograph.

Elizabeth Pinder testified that she had a neckcloth of kent-ing, for which she paid 2s. Sworn, Apr. 29, 1680, before Daniel Denison.*

Mary Clark, aged twenty-nine years, deposed that she made some clothes for Samuel Dutch and he gave her twelve skeins of stitching silk to make the buttonholes.

James Garrogh testified that when he lived in Robert Dutch, sr.'s, house, he saw a bridle and a pair of stirrup irons with stirrup leathers there, also some shining buttons that Benjamin Dutch told him he took out of the hold of the vessel, etc.

Mary Heath testified that Dutch bought goods of her before the fire and the kenting he bought was not the same as that which was alleged to have been stolen, etc. John Floyd* testified that he wrote this testimony of Mary Heath's.

Martha Gilbert, aged about twenty years, deposed concerning buying thread of Abigaill Duch. Sworn in court.

Jno. Dutch, aged thirty-three years, deposed that he brought all the goods in the warehouse and if there was another packet, as Mrs. Derby declared, it was burned in the fire.

Giles Cows, Thomas Newmarch, John Hodgkin and John Tappin testified. Sworn, Mar. 25, 1679-80, before Edward Tyng,* assistant.

Abigall Phillips, aged about eighteen years, testified that she was keeping her sister Gross' shop and sold Samuel Dutch of Ipswich blue linen and other things before the fire. Sworn, Apr. 21, 1680, before Hum. Davie,* assistant.

Letter, dated Boston, Apr. 10, 1680, from James Taylor* to Major Denison giving testimony to the fact that he gave blue linen to the men of Dutch's vessel for their help in saving the goods in his warehouse at the time of the fire.

Simon Tuttle, aged about forty-six years, deposed that he bought of Dutch blue linen, kenting and red caddis before the fire but none since. Sworn in court.

Benj. Dutch, aged about fifteen years, deposed that he was with his brother John when he desired Mr. Mihil Foster to show him, etc. Foster's warehouse was burned.

Susannah Babill, aged about twenty-three years, deposed that she was with Abigill Dutch at Boston when she bought goods at Mrs. Dereing's and at another shop near by, since the fire, and she had them at deponent's house in Boston, etc. Sworn, 21 : 2 : 1680, before Anthony Stoddard,* commissioners.

Thomas Dennes, aged forty years, testified that he was with the Dutches at Exeter, etc.

Mary Sparke, aged about thirty-six years, deposed that Mrs. Darby told her that she thought her packet of goods was burned. Owned by Mrs. Darby. Sworn in court.

* Autograph.

George White, for excessive drinking and disturbing families, was fined.

Sarah Dow, aged about thirty-four years, deposed. Sworn in court.

Samuell Pearce, aged twenty-seven years, testified that Mrs. Darby told him that the Dutches had been very careful to save her goods, etc. Owned by Mrs. Darby. Sworn in court.

Samuell Dutch testified that he used all means to save the goods and did not defraud her of anything.

Josiah Clarke, aged about thirty-six years, testified that Roger Darby said the goods he lost were worth 30li. and they were burned. Sworn in court.

Walter Roper, aged about sixty-seven years, deposed. Sworn in court.

Katherine Laynton, aged about twenty years, deposed that she came in the vessel with Samuell Dutch about a week after the fire and having put some of her things in his chest she saw no new goods there, nor much of anything else.

Thomas Knolton deposed that Mrs. Darby said they had met with a great loss by the fire. Sworn in court.

John Harris, aged about thirty years, deposed.

Hannah Story, aged about seventeen years, deposed that she came home with Samuell Dutch from Boston last May and he brought green galoon. A short time after, her grandmother Foster bought some green paragon of said Dutch. Sworn in court.

Mary Cross, aged about twenty-seven years, testified that Abigaill Dutch bought of her in July, 1679, a remnant of kenting which was stained. She had a whole piece come from Jarsey which was stained very much. Sworn in court.

Caleb Kemball deposed. Sworn in court.

Mary Dutch, aged about fifty-three years, and Sarah Clark, aged about fifteen years, testified.

Caleb Kemball deposed that Mrs. Darby told him that the Dutches had been mighty careful of her goods and if they had not been so careful, she would have lost much more. "I thank God for it," said she. Sworn in court.

Nathanell Rust, aged about forty years, deposed that he had employed the Dutches in carrying commodities upon his own and the country's account and had always found them honest and faithful in the delivery.

William Goodhue, sr.,* John Fayrweather,* John Appleton, jr.,* John Wainwright,* Theophilus Wilson,* John Whipple, sr.,* John Perkins* and Nathaniell Rust,* on May 5, 1680, sent a statement to the court testifying to the honesty and faithfulness of the Dutches.

* Autograph.

Proposal being made in behalf of the youngest child of John Sothwick, deceased, that her proportion of estate be set off to her, court ordered that Capt. John Corwin, Capt. John Price and Mr. Hilliard Verrin or any two of them be a committee to compute the said child's proportion and to set it off, if it be land, and report to the next Salem court.

Major Robert Pike, for prophaning the Sabbath, was fined.* John Webster was admonished.

Thomas Elithorp, for taking hold and unhorsing Jo. Downes, and other misdemeanors, was fined.

John Stiles was found of a debauched conversation, and for the silver spoon stolen from John Dole, he was to return

*Henry Roby testified that being at Major Pike's house at Salisbury, on the Saturday before the Court of Assistants in March last, Nehemiah Partrig called there after sunset on his way to Hampton and told Pike that his brother Ed. Gove had gone toward Boston for he parted with him at Ipswich. He also said that the ways were so rotten already with the thaw that if it continued until Monday it would be almost impossible to get to Boston in two days. "This put us on a strait w^t to do fearing Gove woold gett his busines over before we shoold com there & y^e resolution was only to go to newbery a lords day night that so y^e danger of y^e bridg & ferry might be secured: w^{ch} thing we did. . . . y^t tho it was prity Late er M^r Bourows ended his afternoons exsersise yet did y^e maj^r stay in Mrs. Stokmans house till repetition of both fornoon & afternoone sermons was over & y^e dutys of y^e day concluded with prayer & after a litle stay to be suer the sun was downe then we mounted & not till then y^e sun did indeed sett in a cloud: & after we wear mounted I do remember y^e maj^r spake of Lighting up w^r the son sett: but I saw no sun it was as I remember as we past y^e street between Ephraim Winsleys & Capt. Bradburys but it was quickly gon & no appearanc of it: but began to grow darkish or duskish by y^t time y^t we gott to the bridg." Sworn, May 3, 1680, before Samuell Dalton,† one of the commissioners of his majesties province of New Hampshire.

Ephraim Winsley deposed that he saw Major Pike ride by his house when the sun was about a half an hour high on Lord's day evening. Sworn in court.

Cornet Jo. Severnes deposed the same. Sworn in court.

Steeven Tong, aged about forty years, deposed, on May 3, 1680, that the sun was not out, etc.

† Autograph.

the spoon and 20s. in money. For lying and wicked speaking, he was to be severely whipped, once at Ipswich and also at Newbury on some public day at Mr. Jo. Woodbridge's appointment.*

Samuell Cluff and his wife, for fornication, were ordered to be whipped or pay a fine.

Daniell Ela, for selling drink without license, was fined and ordered to pay costs to Samuell Watts and Jo. Griffing.†

*Israel Webster, aged about thirty-five years, deposed that Jno. Stiles being at his house, he asked him whether he said when he was going to meeting that he was going to hell. He answered yes, and upon asking him why, he said because he was not going to heaven. He also said that he could not read on the Sabbath days because the devil would not let him. Sworn Jan. 7, 1679.

Wm. Morse was bound for Stiles' appearance.

Thomas Titcumb, aged about eighteen years, testified that before the trouble at Wm. Morse's, he was going to meeting upon a Sabbath day and overtook Samuel Smith and John Stils and other boys near Robert Coacker's house. Stiles used many idle words and when asked where he would go, said he would go to hell. He "spoke the words 2 or 3 times over before we could beleue he would specke such wild words." Deponent sharply reprovved him for it, etc. Sworn Jan. 7, 1679.

Jno. Stiles in open court said he did not know but that he did say the words charged by Tho. Titcomb.

†Daniel Ela's‡ petition: that although he acknowledged that he had transgressed the law, he was encouraged to sell liquor by some of the inhabitants, not the meanest, and some of the selectmen gave him the right under their hands to do it and he doubted not that the others would have had he asked them; necessity caused him to do it partly for dwelling next the meeting house upon Sabbath days especially sacrament days and on other public days, his house was so thronged with sometimes twenty, thirty or forty or more persons, some so young and some so weak that they were not able to go to the ordinary and in cold weather he had made two or three fires for their relief; some desired some refreshment in drink but not half as much as would pay for the drink and wood, and in truth he had given more than he sold, which he could ill afford, being poor and much in debt, "partly becaus in the Indian wars I had noe profitable Custom and partly becaus the sumer folowing the wars al tho it was hopeful

‡ Autograph.

Sam. Gatchell and his wife, presented for fornication, were fined.

Tho. Thurley, for excessive drinking, was fined.

John Browne was fined for lying.

John Griffing was admonished.*

Samuell Colby of Amesbury had his license renewed for a year.

Andrew Eliott was licensed to sell liquors by the gallon for a year.

Wm. White of Haverill was licensed to sell cider for a year.

Edward Hassen, for prophaning the Sabbath, did not appear and was ordered to appear at the next court for contempt. Afterward appearing, he was discharged.

John Denison was released from training, paying 3s. a year to the use of the company.

John Appleton and John Pickard, appointed by the last session to treat with Tho. Thurley about the bridge near his house, reported that 15li. would be sufficient for the work done on it.

I should haue taken som money to help to pay my dets their being many vesels || aboue 20 || at our towne and som shiping a beuilding their which put me in hops: then it pleased god to visit my famely sorly with the smal pox where by I was disappointed;" the past year all his cattle except one cow and a pair of oxen, and a great part of his swine were lost in the woods.

Samuel Wats testified, on Jan. 20, 1679, that at Ela's house he heard Lt. Osgood call for, etc. "My landlady she comes in and telles them that there has ben brought in teen qts of bound wine then y^e plater was set upon y^e tabell." Osgood said "Jentlmeen com pay every man his shiling and I weel pay y^e Rest." Deponent called for a quart of beer and Ela brought it, he paying him a shilling for it. Ela returned a sixpence, saying it was stale beer with sack in it.

Samuell Wotes' and John Griffin's bill of cost as witnesses, 12s.

*Robert Swan, sr., aged about fifty-four years, testified that John Griffin, by reason of his absence and not tending his boat, had caused him to wait at the ferry longer than he had to wait at any other ferry. This had been his custom many times the past three or four years. Sworn, May 3, 1680, before Nath. Saltonstall,† assistant.

† Autograph.

Court having considered the agreement between Capt. Daniell Pearse and Henry Jaquis of the one part and Tho. Thurley on the other about the bridge, which was allowed by Salem court, declared that said Thurley was to give diligent attention that no person be hindered or delayed in his passage more than is necessary for his coming from the house to the bridge and if he did not he was to be called to account. Also no one should be refused passage for want of ready money, especially of this county of Essex, if they would give just security for the payment.

Thomas Smith, sr., and his wife being aged and impotent and unable to help and provide for themselves, said Smith came into court and gave up to the selectmen of Ipswich the following estate: three cows and one yearling, three acres of land at Muddy river, a bill of three pounds, six shillings of Pullsipher's and fifteen pounds due from Thomas Dow, about eleven pounds due him from Aron Pengry, sr., and all his household goods, etc., provided the town maintain them as long as they live.

John Pinder was found guilty of stealing hay, and as he had long been about such business, he was to be seriously admonished.*

*John Pinder's bill of cost, 16s. 6d. John Caldwell, Nathaniel Roper, Tho. Lovel, Sergeant Waite, Robert Lord, William Durgy and Goody Graves mentioned as witnesses.

Thomas Waite, sr., deposed that about twenty-eight years ago he was living at Elder Paines' farm in Ipswich and had some occasion to go to town very early in the morning. As he was between Mr. Willson's corner and the meeting house at about the dawn of day he saw a person coming from the Major General's corner of that lane that comes up by his house or between that and the meeting house wall with a bundle of bastard marsh hay on his head, of about a hundred weight. The person came along by the wall just by the goal door and crossed the country road into that lane that leads down to Goodman Graves where he now lives, where the hay was put down. The man was John Pinder, sr., who now lives down in that lane, and deponent "being willing to informe myself who the person was" kept on his way to the mill, coming within a few feet of him so that he could see the color and make of his breeches, stockings and shoes. His breeches were of such a cut as to be open at the knee, but very narrow

coming down to the small of his leg. "I suppose many people yet remembers my description of them his stockins whitish his shooes plaine, to my best remembrans his breeches weare a greenish colloer." There being a common fame in town at that time of hay being stolen, he took particular notice. The Major General had then in March or April a little hay standing in his orchard near a small cowhouse by the roadside. Returning home he called at John Annable's, now deceased, and desired him to step over to the Major's and ask him what offence his hay had committed that it was so near the goal door this morning "and I beleue the man did his messag for the next day I came by the Majors and his hay that was left was caryd in to his cowhouse." Sworn in court.

Cristefer Bouls, aged thirty years, deposed that he was passing the Major General's barn and saw a man with a bundle of hay on his back who told him that he got it at his grandfather's barn. The man was John Pinder, jr. Deponent borrowed an ax of his landlord Metcafe, which ax was carried away from his barn, and two or three months after his landlord's son came and said he had seen the ax at John Pinder's. The latter said his son said he found it. Pinder said that deponent had taken hay out of Samll. Graves' barn and carried it to Pinder's to make him appear as a cheat.

John Caldwell testified that last winter hay was scattered from the Major General's barn over the meeting house green into the lane as far as John Pottor's barn. The "Mager Jennerel" desired Thomas Loufel, Nathaniel Ropper and himself to go and see how it was scattered, etc. Sworn in court.

Robert Lord, marshal, deposed that he was making search for one Isaac Ong and going before day he saw John Pinder, sr., with hay and, accusing him of stealing it, Pinder said "You lye, I had it at father Wilsons Barne." Sworn in court.

Thomas Lovell testified concerning tracing the hay. Sworn in court.

William Durgery, aged forty-eight years, deposed that when he lived with his master Bishop, the first year of Bishop's coming to settle in the town in the house in which he died, he went often to fodder the cattle and told his master that he saw hay scattered up to the rock from the barn. Bishop said he hoped he did not live among such bad neighbors. Two or three nights after, Jno. Bishop and deponent watched in the barn and saw Pinder steal hay. They went after him, pulled it off his back and he ran away. Sworn in court.

Nathaniel Roper, aged about twenty-six years, deposed that hay was scattered from a leanto door in the Major's barn, etc. Sworn in court.

Ens. Wm. Buswell by order of court sent in the papers in his hands committed to him by Elizabeth Wells, alias Harris, which were a will, Page's bill of 28li. and a bill of sale of John Sanders to Wells. The two latter papers were to be delivered to John Harris, her late husband.

John Pinder, being called three times and not appearing, was fined.

Henry Jaquis was freed from ordinary training, court having heard his complaint and considering his lameness, and the fact that he had two of his family in arms and another coming.

John Denison of Ipswich was released from training, paying three shillings per year to the company.

Nathaniell Wells and his wife, presented upon a great and common fame of breach of the peace, by mutinous carriages, so that the neighbors were forced to interpose to prevent further mischief, her arm being much hurt, owned it in open court and were fined five pounds.

Peeter Chever, constable of Salem, complained against Joseph Gatchel for misdemeanors, and was enjoined to give security for his appearance at the next Salem court. Gatchell desired liberty to bring sureties but went away and did not, and court ordered him to appear at the next court. Peter Chever bound.

John Brig's bill of cost. Thom. Knolton and Elesebeth Liuutt mentioned.

Samuell Felows, sr.'s, bill of cost, 12s. 6d.

Bill of cost about Nath. Wals, 5s. Jonathan Fanton, John Fanton and John Smith, jr., mentioned.

On Aug. 25, 1679, Caleb Moody complained of Wm. Fanning and his wife for misdemeanors, excessive drinking, offering violence to his wife, swearing and cursing. Joseph and John Dole and Jonathan Clarke testified to his drunkenness. Sarah Moody and Mary Wellington affirmed that as they were going by the house to fetch the cows in the morning, Goodwife Fanning complained of her husband. He swore and said he would knock out their brains. Jonathan Clarke said that in the house Fanning threw things at his wife, kicked her and swore he would cripple her and she showed the marks of her husband beating her, as she did to others, and said if the negro had not taken him off, he would have killed her. The two maids heard him curse once. Fanning acknowledged that in his passion he might have done these things. It was a

common fame that he drank to excess and at such times quarrelled with his wife and the clamor of it was heard by the neighbors who lived near. He was ordered to appear at the next Ipswich court but not being able to get bail, by protesting that his hay would be lost if he were detained and his family deeply suffer, his own bond was accepted. He offered as security one-half of four acres of Indian corn growing on land of Mr. Thomas Noyes and Jacob Topan, a young horse and five swine of a year. The woman was discharged. Copy from the records by Jo. Woodbridge,* commissioner.

Mathew Hocker testified that he was in the quartermaster's yard and saw John Leese and Cristefer Bouls, who wanted someone to ride one of the mares. Several persuaded Samuall Pouline to ride her but he said he would not and could not because he had a fall from a horse a little while ago and was not able. Sworn in court.

Whereas Daniewell Clark agreed with Thomas Thorlle to serve him, and he had served him the full time although Thorlle claimed he had not, said Clark left it to the court to determine.

Judgment for plaintiff in the action, Willm. Dodge v. Benjamin Balch, the settlement of the estate according to Salem court order of 27 : 4 : 1662, the just debts being paid, the one-half of the estate in inventory or else 111li. 14s. 3d. in money. Appealed to the next Court of Assistants.

At the General Court in Boston, Oct. 10, 1679, Jno. Dole of Newbery was admitted into the freedom of this colony. Copy made by Edward Rawson,* secretary.

Walter Fayerfield's* reasons of appeal, recorded Feb. 29, 1680, by Robert Lord,* cleric: in an action brought against him relating to the committee of militia, and the impressment of saddles and pay for the same, etc. Charles Gott, Edward Nerling and Thomas Knoulten mentioned.

Fragment of a paper belonging to court held May 4, 1680. Jno. Sanders and — Wells mentioned.

John Severence* wrote to Robert Lord on 1 : 8 : 1680, returning four writings belonging to Robert Knights which he had taken by accident.

Joseph Boles testified that whereas there was a bargain made between himself and Henry Bennett concerning building and finishing a barn upon Hog Island for the use of John Graves, but the latter refused to have it built for a thatched roof but wanted a board roof, and engaged to get the boards to clear said Henry by the barn being not finished. Sworn, Dec. 26, 1677, before Daniell Denison. Copy made by Robert Lord,* cleric.†

Jacob Bennet, aged about twenty-five years, deposed that

* Autograph.

† See *ante*, vol. 6, p. 420.

COURT HELD AT SALEM, 29 : 4 : 1680.

Judges: Hond. Maj. Genrll. Daniell Denison, Esq., Capt. Nathanll. Saltonstall, Esq., William Browne, Esq., and Bartholmew Gedney, Esq.

Grand jury: Leift. Tho. Putnam, Seargt. Tho. Fuller, Jere. Meachum, sr., Tho. Rix, Ensigne Nathanll. Felton,

there was a bargain made between himself and his father Henry Bennett, etc. Sworn, 26 : 1 : 1678, in Ipswich court.

Daniell Wicom testified that being at Ipswich court when Goodman Lumas and Simon Stacy delivered Marck Quilter's will to court, Frances, the wife of Marck, desired him to speak for her but he did not dare to meddle with it for "i am a stranger and doe not understand it."

Caleb Kimball and Simon Stace deposed that Mr. Tutell came to us and said he heard Frances Quilter tell her brother Swan that she had no knowledge of the carrying of her husband's will into court.

Ezekiel Northend* and John Tod,* having been appointed at the Ipswich court, Sept. 29, 1663, upon motion of Mr. John Carleton, guardian of Patience Jewett, that a division be made of some land between Carleton and Patience, they found that the bulk of Mr. Carleton's land was to the value of 178li. on Haverhill side, and there were 100li. belonging to said Patience to be taken off her land to make them both equal, 300 acres. Corporal Gage, who lived upon the farm of Patience Jewett, went with them and showing them some low land that might be convenient for fencing, said that there was very little more than 300 acres, at the most not more than 20 or 30 acres, he knowing the land better than they did, and they gave credit to what he said not measuring it themselves. Owned, Mar. 30, 1680, in court.

Petition of Shu. Walker:* Joseph Jewet of Rowley left in his will land to his two daughters Hannah and Patience. Mr. John Carleton married Hannah and became guardian of Patience. The latter married this petitioner. Sergt. John Gage, then lived by lease upon the Bradford part of the farm called the Neck, etc. John Gage was the purchaser and an honest man and the committee to divide the land confided in him too much for the petitioner's good. He asked that the order might be revoked and a new settlement made for the benefit of himself, wife and children. Court ordered on Mar. 30, 1680, that Tod and Northen measure the land and report to court what houses had been built, fences made, etc.

* Autograph.

John Hill, William Browne, William Seargent, John Abby, jr., Hen. Collens, sr., Hen. Silsby, Ensigne Bancraft, Joseph Mansfeild, sr., Tho. Bishop and Mr. George Keaser.

Jury of trials: Leift. Raulph King, Mr. Timothy Lindall, Mr. John Grafton, Mr. Habackuck Turner, Mr. Joseph Phipen, sr., Samll. Williams, Nathanll. Ingerson, Erasmus James, Jon. Lovett, jr., Thomas Patch, Jacob Davis, [Cornet. — *Waste Book*.] John Lewis, Edward Marshall in the first action, and Francis Skerry in Capt. Price's action.

Mr. Wm. Bowditch v. John Woolcott. Verdict for plaintiff. Appealed to the next Court of Assistants. Said Woolcott bound, with Phillip Fowler and Phillip Greely, as sureties.*

*Writ: Mr. Wm. Bowditch v. John Woolcott of Newbery; for not building and finishing a windmill at Marblehead according to agreement; dated June 10, 1680; signed by Hilliard Veren,† for the court and the town of Salem; and served by Henry Skerry,† marshal, by attachment of the farm house defendant lives in at Newbery, with the land and meadow.

John Wallcot's bill of cost, 14s.

Agreement, dated Mar. 6, 1678-9, between John Woolcott,† of Newbury, millwright, on one part, and Wm. Bowditch,† John (his mark) Devereux, Rich. Knott,† James Denness† and Samuell Morgan† on the other part, said Woolcott was to frame, build, erect and set up for Bowditch and company at Marblehead, upon the hill called Rodes' hill, a windmill, which was to be round, 26 feet through, 19 feet between joints, with a flat roof, to be housed from the weather, said Woolcott to provide all materials, except the millstones, the mill to be built of good substantial timber, and completed to the turning of the key and making it sufficient to work perfectly; he was to lay the hulk, cause it to be sufficiently underpinned, and to be finished by the last of December next; for all of which Woolcott was to receive eight score pounds, half in silver and half in fish or other goods at money price, one third to be paid at or before the last of May and one third at the raising of said mill, and the other third at completion, said Bowditch being owner of one-half; Woolcott further agreed to work the mill for a week on trial and to repair all defects that might appear; Bowditch was to provide two millstones made of bars for which the other owners were to pay him proportionately in money 12li. 10s., himself to bear the other part and all the other owners agreed to provide men and necessary material to raise the mill and to help said Wilcott at such

† Autograph.

times as he desired; whereas Bowdish engaged to find millstones at such a price, the other owners obliged themselves to pay to Wilcott 5li. in silver of that 40li. part mentioned, to be deducted out of their goods part, said Bowdish to pay 35li. in silver and 45li. in goods, the others to pay 45li. in money and 35li. in goods to Willcott or his order. Wit: Samuel Cheever,* Moses Mavericke* and John Elethorp.* Sworn, 24 : 1 : 1680, before Wm. Hathorne,* assistant.

William Traske,* John Traske* and Simeon Booth,* millers, Joshua Buffum* and Edmond Bridges,* chosen to survey the windmill, so called, testified that they "took up the stone and vewed the stons and incke and vine and we find the stons good only thay want floworing and to be hunge trew: we find that the incke and spindel not to be sofficiant nether for waight and workemanship: 3^{ly} we find the mill not soficiantly undarpined: and the mill we find not tightly covered for to secur ether corn or meal in the mill and 4^{ly} we find one of the main posts of y^e mill haue broken and we find the hopar and many of the utenssels of the mill to be insofficiant." Sworn, Mar. 22, 1679-80, before Wm. Hathorne,* assistant. Upon a second view by William Traske* and John Traske,* they found Woolkot not able by his own skill to accomplish the flowering of the stones. Sworn, June 24, 1680, before Moses Mavericke,* commissioner.

James Dennes* certified on Jan. 21, 1674, that whereas there had been an agreement between himself and John Wilcott, sr., of Newbury for building a windmill in Marblehead, of which deponent had an eighth part, he was fully satisfied that the work was according to covenant. Wit: Samll. Ward* and John Woodbury.*

William Bowditch's bill of cost, 4li. 5s. 9d.

Richard Knott* certified on Jan. 22, 1674, that he owned an eighth part and was fully satisfied, etc. Wit: Samuell Morgan* and James Dennes.* Owned in court, but he further said that it was through a mistake or misinformation.

John (his mark) Devorix, sr., certified on Jan. 24, 1679, that he owned an eighth part and was fully satisfied, etc. Wit: Rich. Knott* and James Dennes.* Owned in court that he signed this through a mistake.

Samuell Morgan* certified on Jan. 21, 1679, that he owned an eighth part and was fully satisfied, etc. Wit: Robert Knight* and Edw. Humphreys.* Owned in court that he signed through a mistake.

Thomas Robins, aged about forty-two years, William Trask, aged about forty years, and Walter Fayerfield, aged about forty-eight years, deposed that on June 26, last, Mr. William Bowditch desired them to go to Marblehead and

* Autograph.

they found the windmill so insufficient as to the builder's work that it was not fit for grinding meal. It would cost more to make it fit than the mill was worth. The vanes, arms, sails and upper running gears were insufficient, the mill had nothing to stop her and seven men could not turn her to the wind. It was not finished according to agreement as to covering, underpinning or workmanship for feeding or grinding. Sworn, June 26, 1680, before Moses Mavericke.*

Joshua Bufham, aged forty-three years, testified the same, he having had some experience in mills, and he found that there was nothing to stop her in a gale of wind if occasion should require. Attested as in the presence of God, June 26, 1680, before Moses Mavericke,* commissioner.

John Bartlet, aged about thirty-six years, and Nicholas Pickett, aged about thirty-three years, testified that when William Traske, John Traske and John Willcott, millwright, were at the windmill at Marblehead, the mill was set to work. Mr. Willcott was often desired to put one more sail upon the mill by several people who were there that she might make good meal, but he would not do it, he said, for fear the vanes or something else about the mill would break. He said he was bound only to make meal, which he had done, and left off grinding corn and left some in the hopper. Sworn in court.

Samll. Ward, aged about forty years, deposed that after more sail was put on, the sails flew from the vanes at one end. Some months after he found them very much damaged by wet as the mill was not sufficiently covered, the roof being so open he could see through almost all the joints of the boards. Two millers set the mill to work but it would not make meal for want of sail. Sworn in court.

Richard Norman, aged fifty-seven years, deposed the same. Also that Woolcott had said that he would make the mill so good that she would perform her work with as little wind as a man might carry a candle burning open in the air without blowing out, whereas she would not work with a good gale of wind. Sworn in court.

John Legg, aged about thirty-five years, and Nicholas Andrews, aged about thirty-eight years, deposed that while the mill was grinding it was one man's work to feed her with his hand for there was some defect in the gear that should have fed her. Sworn, June 26, 1680, before Moses Mavericke,* commissioner.

William Poate, aged about forty years, and John Bartlett, aged about thirty-six years, deposed that John Willcott, jr., said that the mill would never come to anything, but they did not care if the devil had her if they got their money, or whether the mill would run any more. Sworn in court.

* Autograph.

Leift. Tho. Putnam v. Edw. Richards of Linn. Review. Verdict for defendant.*

John Woolcott v. Mr. Wm. Bowditch. Verdict for defendant. Appealed to the next Court of Assistants. Said Woolcott bound, with Phillip Fowler and Phillip Greely as sureties.†

*Writ: Lieut. Thomas Putman v. Edward Richards of Lynn; review of a case tried at the Salem court in July, 1675, with judgment for Lt. Putman, and on appeal at the Court of Assistants in Sept., 1675, when judgment was reversed; dated June 18, 1680; signed by Nath. Barnes,‡ for the court and town of Boston; and served by Saml. Cobbett,‡ constable of Lyn, by attachment of the dwelling house and land of defendant.

Edward Richard's bill of cost, 12s.

Letter of attorney given by Edward (his mark) Richards§ to Thomas Norman of Boston. Wit: Jonath. *Palmes* and Edmond Bridges.‡ Acknowledged, June 29, 1680, before William Browne,‡ assistant.

Copy of the record of a Court of Assistants at Boston, Sept., 1675, in this action, with verdict for plaintiff, Edward Richards. Copy made by Edward Rawson,‡ secretary.

†Writ, dated June 9, 1680, for breach of covenant, signed by Hilliard Veren,‡ for the court and the town of Salem, and served by Henry Skerry,‡ marshal of Salem, by attachment of land, the wharf, and the warehouse, brewhouse, copper and furnace of defendant.

John Woolcott's bill of cost, 2li. 6s.

Wm. Bowditch's bill of cost, 16s. 6d.

Stephen Grenlefe, aged about fifty-one years, deposed that being employed by John Wolcot to make the iron work for the windmill, he made it thoroughly and of very good iron in his shop and he understood what belonged to mill work. Sworn, June 25, 1680, before Daniel Denison.‡

Robert Knight, aged about sixty-five years, deposed that he and Mr. Ward of Marblehead were in the mill and he considered that the mill made good meal for the time it had been working. Sworn in court.

John Woolcot, aged nineteen years, deposed that his father desired Mr. Bowdeg to have a meeting about the mill and they stayed there till night, but he did not come. Later they asked the owners to get together and tell what was wanting in the mill, but Bowdeg replied that he could not come and did not know when he could. Then both sides chose one

Ben. Balch, sr., son of John Balch, sr., deceased, and joint executor with his mother-in-law, Agnes Balch, deceased, of said John's will, and legal heir of said Agnes v. Capt. John Price. Verdict for plaintiff, the land in controversy.*

man to view it, etc. John Woolcott, sr., affirmed the same. Sworn, June 25, 1680, before Daniel Denison.†

James Dennis, aged about thirty-eight years, deposed that on Jan. 20, last, Wolcott told the owners that the mill was ready and they sent to Salem for Mr. William Boudish who was chiefly concerned to meet them to choose men to see if the work were satisfactory, but the messenger said that Mr. Boudish could not come, etc. Sworn, Mar. 23, 1679-80, before Moses Mavericke,† commissioner.

John Woolcot, aged nineteen years, deposed that his father, after the mill was set up, was flooring the stones, running them and trying them with corn ten days before he left the mill. It would have been running a fortnight sooner if Mr. Boudeg had not failed about the canvas. He did not send it and deponent and his father went to Salem for it, but Boudeg said it was too much for them to carry and he would take it to them on his horse early in the morning. They were forced to go again and found that he had no canvas for them, upon which his father had to buy it where he could get it. Also that when Boudeg saw the mill go, he said he never saw one go better in his life. John Woolcot, sr., affirmed the same. Sworn, June 25, 1680, before Daniel Denison.†

Jno. Trask, aged about thirty-eight years, deposed that he went to Marblehead to put the mill to work, etc. Sworn in court.

*Writ, dated June 23, 1680, signed by Hilliard Veren,† for the court and the town of Salem, and served by Henry Skerry,† marshal of Salem, by attachment of the warehouse and all the land belonging to it.

Benjamin Balch's bill of cost, 2li. 5s. 4d.

Copy from the Salem town book of records: Granted on 23 : 10 : 1639, to John Woodbery, John Balch and Mr. Connant five acres of meadow each in some convenient place. Copy made, 15 : 12 : 1678, by Jno. Higginson,† recorder to the selectmen.

Copy from the Salem town book of records: At a general town meeting, 21 : 9 : 1658, it was ordered that Major William Hathorne have granted to him the town's right in the planters' marsh. Copy made, June 28, 1680, by John Hathorne,† recorder to the selectmen.

Copy of a record of the settlement of John Balch's estate,

† Autograph.

Mar. 3, 1663, at Ipswich court, made by Robert Lord,* cleric.

Copy of the record of administration upon John Balch's estate, 27 : 4 : 1662, at Salem court, made by Hilliard Veren,* cleric.

Copy of the record of Salem court, June 29, 1658: Benjamin Balch, bringing in testimony that the estate of Agnes Balch was little enough to pay the expenses of her long sickness, was ordered to have the whole estate. Copy made by Hilliard Veren,* cleric.

At Ipswich court, Sept. 26, 1665, William Dodge acknowledged judgment to Capt. Walter Price for a debt of John Baulch, deceased, Baulch's wife being executrix. Copy made by Robert Lord,* cleric.

Deed, dated 20 : 11 : 1658, given by Benjamin Balch† of Salem, husbandman, to Walter Price of Salem, shopkeeper, for one-half of five acres of meadow in the planters' marsh, between Francis Skery on the south and Mr. Geo. Emery on the north. Wit: Hillyard Veren* and Theodore Price.* Acknowledged, 26 : 3 : 1660, before Wm. Hathorne.*

Copy of John Balch's will, dated May 15, 1648, taken 4 : 4 : 1656, by Elias Stileman,* cleric, and of the inventory, dated 19 : 1 : 1662, by Hilliard Veren,* cleric.

Samuel Gardner, aged about fifty years, and John Massey, aged about forty-nine years, deposed that being desired to measure and divide land in the Planters' marsh, so called, near the north ferry in Salem, upland and salt marsh, they found it about six acres, which they divided into two equal parts. This was John Balch, sr.'s, land, which Capt. John Price now claims, one-half of which Benjamin Balch, sr., now sues for, and deponents measured it this June. Sworn in court.

Samuel Gardner, aged about fifty years, and Thomas Gardner, aged about thirty years, deposed that Price claimed the whole six acres and ordered Francis Skerry to load hay into his cart from off this land in 1679, in sight of deponents. Sworn in court.

Deed, dated 30 : 11 : 1665, given by Wm. Hathorne† of Salem to Walter Price of Salem, five acres of marsh and upland lying between land of George Emery on the south, land of Frances Skery on the southwest, the sea on the east and land of Daniell Rumble on the west, he to have all the right granted to said Hathorne by the town in 1658. Wit: John Croade* and William Lake.* Recorded, 30 : 11 : 1665, in the records at Salem, book 2, folio 79, by Hilliard Veren,* recorder.

Capt. William Dixie, aged about seventy years, testified that above forty years past John Balch, sr., had five or six acres in the Planters' marsh, which he mowed for said Balch and afterward hired of him. Sworn in court.

* Autograph.

† Autograph and seal.

Samuel Gardner, aged about fifty years, and Thomas Gardner, aged about thirty years, testified that they, as messengers from Benjamin Balch, sr., desired Capt. John Price to join with him in dividing the land, but he refused, claiming the whole. Sworn in court.

John Massey, aged about forty-nine years, testified that his father hired this marsh of John Balch, sr., for several years and later of Benjamin Marsh, sr., which, he could prove by his book, was from 1649-1658. In 1651 and 1654, the rent was paid to Benjamin's brother John. Sworn in court.

Copy "out of My Book how the Rent was paid For the Meddo that was old John Balches," from 1649-1658: for 1649, to Peter Palfry, an ewe lamb, 1li. 5s.; 1650, three weeks dyett to Freborne, 12s.; for a quatar Cash & hupping & Apare of Gloves, 5s.; payd for Leading Fencing Into place & setting It up, 5s.; payd to Henry Bullock by order from John Balch in 1651, 1li. 2s.; In 1652 paid to Benjemen a Ewe Lamb, 1li. 10s.; In 1653 paid to Benjemen which was due from Free, 7s.; In 1654, to John Balch, a black ewe lamb, 1li. 10s.; for fencing with post & Rales at the fery Being 5 poles, 10s.; In 1655, paid to Benjemen in wheat, 1li.; In 1656, 57, 58, for Repairing fences, 7s. 6d.

Francis Skerry, aged about seventy-four years, deposed that for fourteen years the land belonged to the Balches, etc. Sworn in court.

Frances Skerry, aged about seventy years, testified that he saw Capt. John Price by force keep Benjamin Balch, sr., off the land by thrusting his staff at him. Henry Skerry, sr., testified to the same. Sworn in court.

Humphrey Woodberrey, aged about seventy years, testified that to his knowledge about fifty years past, John Balch, sr., had an interest in that marsh with the other old planters. Sworn in court.

Mr. Roger Conant, aged about eighty-seven years, deposed that whereas about sixteen years ago Benjamin Balch and Mary Balch, widow of John Balch, now wife of William Dodg, came to an agreement at Ipswich court, deponent had no hand in the said agreement, he being at court at the same time. Sworn, June 4, 1679, before Daniel Denison,* assistant, and Jo. Woodbridge,* associate.

Roger Hascall, aged about twenty-two years, deposed that in 1679 he heard Benjamin Balch, sr., say that old Mr. Conant, now deceased, spoke against him in regard to his having any part of his brother John's estate, etc. Sworn in court.

Jno. Dodge, sr., aged forty-eight years, and William Reayment, aged about forty-two years, testified that they heard Benjamin Balch say that he had exchanged the salt marsh

* Autograph.

Phillip Knight v. Thomas Cave. Verdict for defendant. Appealed to the next Court of Assistants. Said Knight bound, with Bray Wilkins and Jonathan Knights as sureties.*

at Salem with his brother Jno. Balch for land at home. Sworn in court.

Mary Dodg, aged about forty-five years, deposed that after she was married to John Balch, now deceased, they rented this marsh and it was sold to said Price, etc. Sworn, June 29, 1680, before Daniel Denison.†

Mary Wood, aged about thirty-six years, deposed that she having heard Benjamin Balch, sr., say that the intent of the court was that part of the farm which was given to his brother John Balch by his father's will, was given to said Benjamin by the court, but that he himself bade the clerk to write "all lands;" that he did not think the clerk wrote it down so but later he saw the record and found it so entered. Deponent asked Benjamin how his brother John came to have the rent of the meadow or marsh at Salem if it were not his own, and he answered that it was upon an exchange with him, for their father had given John some apple trees and ground to set them out upon in his orchard, but his brother having bought a house and land at Salem, had no need of the land for this purpose, so he and Benjamin agreed that John should have the marsh at Salem for his part of the orchard. Sworn in court.

Edw. Bishop, aged about sixty-one years, testified that the exchange was only verbal. Sworn in court.

Frances Scerry, aged about seventy years, and John Massy, aged about forty-nine years, testified that Capt. Walter Price and his son John Price had possessed this marsh for fifteen years. Sworn in court.

Deed, dated Sept. 20, 1665, given by William Dodg, jr.,† of Salem, husbandman, and Mary Dog,† his wife, late wife of John Baulch, deceased, mariner, and administratrix of his estate, to Capt. Walter Price of Salem, merchant, for 9li. which Baulch owed him, and 3li. in money, two and a half acres, which was half of five acres owned by John Balch and his brother Freeborne Balch, both deceased, in the Planters' marsh in Salem, bounded by the sea on the east and north, ground of George Emory on the northwest and land of Frances Skerry on the southeast and south. Wit: Robert Lord, sr.,† and Robert Lord, jr.† Acknowledged, Sept. 26, 1665, before Robert Lord,† cleric. Recorded, 23 : 9 : 1678, at Salem, book 5, folio 12, by Hilliard Veren,† recorder.

*Writ: Phillip Knight v. Thomas Cave; for not joining with him in the division of 100 acres of land which they bought

† Autograph.

‡ Autograph and seal.

jointly of Mr. John Ruck, said land being partly in Topsfield and partly in Salem, according to deed dated July 24, 1672, for which they were to pay 60li. sterling, said Knight having paid his 30li.; dated June 21, 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of land, and left the summons with his children and wife.

Philep Knight's bill of cost, 1li. 13s. 6d.

Thomas Kaves' bill of cost, 1li. 5s.

Jonathan Knight, aged about thirty-eight years, testified that William Nickols, sr., said at Mr. Keysar, sr.'s, house in May, that Phillip Knight should have fifty-nine acres of land according to agreement. Ruth Knight testified to the same. Sworn in court.

Bray Wilkins, aged about sixty-eight years, and Jonathan Knight, aged about thirty-eight years, testified that they and William Nicolls of Topsfield were present when Leift. Tho. Putnam laid out this land after the purchase, fifty-nine acres each, and said Putnam agreed to give them a writing to that effect, with those present as witnesses, but they had never seen any writing. Phillip Knight doubted if he had as much land laid out as Putnam told him, and later sent again for deponents while Nathaniell Putnam and William Ireland, sr., measured it and found it to be but forty-one acres, and at the same time found Cave's land to be about seventy acres. Sworn in court.

John Rucke* certified, at Salem, Mar. 20, 1679-80, that he had received pay from Philip Knight for his half of the 100 acres lying near old Nickoalses. Wit: Bray Wilkins* and Jonathan Knight.*

Thomas Putnam, aged about sixty-four years, deposed that he knew nothing about it except the writing which he gave in to Maj. Gen. Denison, which writing was made in the woods that day. Sworn in court.

William Ireland, sr.,* and Nathaniell Putnam* certified that they found that Cave had, with what he had sold, eighteen or nineteen acres of land more than Knight, besides a tract lying along the side of Hathorn's meadow. Sworn by Ireland at Boston, Mar. 19, 1679-80, before Elisha Hutchinson,* commissioner, and by Putnam in court.

Copy of agreement, dated 2 mo. 1674, between Thomas (his mark) Cave and Philip Knight, for a farm bought of Mr. John Rucke of Salem, partly in Salem and partly in Topsfield; that Knight was to have 48 1-2 acres in the northeast end, bounded by a bound tree of John Putnam's on the northeast, John Robinson's and William Hobbs' land on the north, to a bound tree between Thomas Putnam and Willm.

* Autograph.

John Browne, sr., Ruling Elder of the Church of Salem, and Hen. Bartholmew, merchant, overseers and feoffees in trust of the children of Robert Gray, late deceased v. Nicholas Manning. Verdict for plaintiff. Forfeiture of the house and land mortgaged. Appealed to the next Court of Assist-

Hobs westerly, then Thomas Putnam's land on the west, said Knight's line running southerly about 80 rods to a heap of stones and a stake, then crosses the farm easterly about 100 rods to John Putnam's line on the east side to a heap of stones and a stake, then northward about 80 rods to John Putnam's tree; Cave was to have the breadth of the farm on the south of Knight's land, as it lay between land of Thomas Putnam on the west and John Putnam on the east, till said Cave's land comes to a swamp that lay southward from his house and joins John Putnam's line where Philip Knight has about eleven acres, "first from John Putnam's line on the east, on the North side the swamp the s^d Knight is to run from the heape of rocks in John Putnam line westerly by the swamp 18 rod to a heap of rocks, 2dly the s^d knight is to run from the heape of rocks in John Putnam's line on the North side the swamp, cross the swamp southerly as John Putnam's line runs 52 rod to a heap of stones 3ly from thence westward 38 rod to a little white oake marked on foure sides 4ly from thence Northerly 44 rod to the southwest corner of the swamp to a heap of stones, & from thence eastward downe the swamp 20 rod to a heap of stones & from thence Northerly cross the swamp about 8 rod more or less to the heape of stones on the North side the swamp next Thomas Caves house; that is 18 rod from John Putnam line; further the s^d Knights land on the south side the swamp, the way is to lye from the North-east corner of the s^d Caues feild as it is now fenced by the east side of the feild to the Northwest Corner of the s^d knights 11 akers of land, the s^d knight is to sett up & maintaine a good gate or good barrs where the way comes at that end next to the s^d knights house, All the rest of the farme is Thomas Caues." Wit: Thomas Putnam and Willm. (his mark) Nicols. Sworn, June 24, 1680, before Daniel Denison.

Deed, dated July 24, 1672, given by John Rucke† of Salem, to Phillip Knights and Thomas Cave of Will's Hill, so called, in Salem, husbandmen, for 60li., 100 acres of land in Topsfeild and Salem, bounded northerly by William Hobbs and John Robinson, easterly by John Putnam, southerly by Hathorn's great meadow and westerly by Leift. Thomas Putnam. Wit: Jonathan Knight* and Hilliard Veren.* Acknowledged, Mar. 20, 1677-8, before Wm. Hathorne,* assistant.

* Autograph.

† Autograph and seal.

ants. Said Maning bound, with Samuel Shattock, jr., Tho. Mould and Eliezer Keaser as sureties.*

Samuell Apleton, jr. v. Estate of John Paine, deceased. Withdrawn.

Mr. Jonathan Corwin, in behalf of Elizabeth, his wife, late Elizabeth Gibbs v. John Wing. Verdict for plaintiff.†

*Writ: John Browne, sr., Ruling Elder of the Church of Salem, and Henry Bartholmew, merchant, overseers and feofees in trust for the children of Robert Gray, late of Salem, deceased v. Nicholas Manning; for withholding possession of one dwelling house and an acre of land given by deed dated Mar. 14, 1664, by Manning, and non-payment of 52li., according to deed; dated June 14, 1680; signed by Nathl. Barnes,‡ for the court and town of Boston; and served by Henry Skerry,‡ marshal of Salem, by attachment of defendant's house and shop that he now works in.

Plaintiff's bill of cost, 1li. 17s.

Henery Bartholmew, aged seventy-two years, testified that before the last Salem court in November, at the house where he dwells in Boston, he demanded of Nicholas Manning the 52li. specified in the mortgage. Sworn in court.

John Browne, sr., aged sixty-seven years, testified that he demanded the money at Manning's house. Mary Gray testified to the same. Sworn in court.

Mortgage deed, dated Mar. 14, 1663-4, given by Nicholas Maning§ of Salem, gunsmith, to Mr. John Browne, sr., Ruling Elder of the Church of Salem, and Mr. Henry Bartholmew of Salem, trustees for the children of Mr. Robert Gray, for 52li., one dwelling house in Salem, late in occupation of Robert Gray, with an acre of land, bounded on the south by land of Mr. William Browne, sr., merchant, on the north by land of the Right Worshipfull John Endecott, Esq., the Honored Governor, on the west by land of Mr. Gedney, sr., and on the east by the lane or highway; the 52li. was to be paid in fish or sugar on demand within eight months. Wit: Joseph Grafton‡ and Edw. Norice.‡ Acknowledged, 29 : 4 : 1680, in court.

†Writ, dated Boston, June 15, 1680, for not paying to Curwin, 22li. due for four years' service of a negro man named Zanckey, according to articles of agreement, signed by Nathl. Barnes,‡ for the court and town of Boston, and served by Returne Waite,‡ marshal of Boston. Bond of John Wing.‡

Jonathan Corwin's bill of cost, 1li. 5s. 9d.

Elezebeth Gibs, Dr., to John Wing,‡ 1676: May 9, payd Mis Elesebeth Gibs, 2li. 15s.; Dec. 23, payd Mr. Jonathan

‡ Autograph.

§ Autograph and seal.

Josiah Witter v. John Richards. Trespass. Nonsuited.*

Corin, 2li. 15s.; Oct., 77, payd Johnathan Corin, 5li. 10s.; Nov., 78, payd the wido heall for norsing A negro man Zankeey, the tym of the small pox, 5li. 10s.; for potacarys drogs and other Expences in the tym of his siknes, 2li. 16s.; march, 78, payd the wido Heall for loking to Zankeey the negro man when he was Cured of the french pox by docter Hokins, 5li. 5s. 6d.; total, 24li. 9s. 6d. Mr. Jonathan Corwin owned in court the receipt of the first three sums amounting to 11li., which was all he affirmed that he had received upon the account of his neger Zanchies service.

Agreement, dated Dec. 16, 1675, between Elizabeth Gibbs of Boston, widow, and John Wing† of Boston, shopkeeper, the former put her negro man and servant called Zankeey to said Wing from Oct. 26, 1675, for four years, he paying her 5li. 10s. per annum. Wit: Ephraim Manning† and John Hayward,† scribe. Sworn, June 9, 1680, before Pet. Bulkeley,† assistant. Acknowledged in court.

Mary Heall, aged about seventy-four years, deposed that she took Zankeey into her house when he had the small pox coming out all over him but after he had been there some days she observed that there was something besides that. She told Mr. Wing and he sent Docter Bateller. She received 20s. per week for taking care of him for the first three weeks and afterwards 10s. per week until it came to about 5li. Then she sent to Mr. Wing because she had others with the small pox come to her house. The following March, Zankeey was sick again and she was persuaded by Docter Hokins and the townsmen of Bostown to take him again, for which John Wing paid her 5li. Sworn at Boston, June 28, 1680, before Tho. Brattle,† commissioner.

Hana Man, aged about thirty years, deposed that she lived in the family with Mr. John Wing in 1676, 77 and 78, and the negro was unable to work for days at a time, etc. Sworn at Boston, June 28, 1680, before Tho. Brattle,† commissioner.

Will. Hawkins,† aged about forty-four years, deposed that he attended Mr. Robard Gibbs' slave and cured him of the French pox, etc. Sworn at Boston, June 28, 1680, before Tho. Brattle,† commissioner.

*Writ: Josiah Witter v. John Richards; trespass, for forcibly entering and making improvement of his inheritance left him by his father and defaming the title; dated June 25, 1680; signed by John Fuller,† for the court and town of Lyn; and served by Joseph Rhoad,† constable of Lyn, by

† Autograph.

‡ Autograph and seal.

Ruth White v. Mr. Edmond Batter. Verdict for plaintiff.*

Mr. John Giffard v. Estate of housing and land belonging to Sr. Richd. Combes, Jon. Wright, Esq., and Co. Review. Nonsuited.†

Mr. Tho. Woodbridg v. Phillip Greely. Verdict for plaintiff.

attachment of the house and land of defendant where he now lives.

John Richards' bill of cost, 1li. 16s.

Thomas Marshall, aged sixty-five years, testified that in times past he sold a parcel of land in Lyn to Oliver Purchis, formerly called Mullenor's land, all of which lay outside the fence. He sold none within the fence of Josiah Witter. Sworn by Capt. Thomas Marshall in court.

*Writ: Ruth White v. Mr. Edmond Batter; for imprisonment for a debt which the court did not order her to pay as administratrix; dated 11 : 4 : 1680; signed by Hilliard Veren,† for the court and town of Salem; and served by Tho. Ives,† constable of Salem, by attachment of defendant's house and land.

Ruth Whitt's bill of cost, 1li. 8s. 6d.

Copy of record of administration on estate of Thomas White of Wenham, Mar. 25, 1673, at Ipswich court, made by Robert Lord,† cleric.

Execution, dated 22 : 5 : 1675, against Ruth White, administratrix of the estate of Thomas White, deceased, to satisfy judgment granted, 30 : 4 : 1674, at Salem court, signed by Hilliard Veren,† cleric, and served by Henry Skerry,† marshal, who took her to the creditor's house, and she was later put into prison, there to remain until the keeper, Benjamin Felton, had orders from Batter to let her out.

Copy of the inventory of Thomas White's estate, allowed in Salem court, 27 : 4 : 1673, and of another account allowed, 23 : 5 : 1675, in Salem court, made by Hilliard Veren,† cleric.

†Writ: John Gifford v. Estate of Sr. Richard Combes, Jno. Wright, Esq., & Co.; review of an action brought by Thomas Walter and Richard Midlecot, attorneys to John Wright, Jno. Williams, Katherine Eaton and Jno. Dodsworth; dated Apr. 19, 1680; signed by Hilliard Veren,† for the court and town of Salem; and served by Samll. Cobbett,† constable of Lyn, by attachment of the dwelling house and Iron works, etc., of defendant.

Defendants' bill of cost, 3li. 11s. 6d.

Thomas Matson of Boston testified that he served the summons on Mr. Walter. Sworn, June 26, 1680, before Humphry Davie,† assistant.

† Autograph.

Appealed to the next Court of Assistants, with John Woolcot and Jon. Elethrop as sureties.*

Capt. Tho. Marshall, Capt. Richd. Walker and Mr. Tho. Loughton, chosen by Lin as commissioners, were sworn.

On 18 : 4 : 1680, upon petition of Mr. Daniell Epps, sr., to the Worshipful Wm. Browne, Esq., and Bartholmew Gedney, Esq., administration upon the estate of Samuell Symonds, was granted, until the next Salem court, to Mr. Daniell Epps, husband of his eldest daughter Elizabeth, Mr. Harlackendine Symonds, his eldest son, and Mrs. Rebecka Symonds, relict of said Samuell; and they were ordered to bring in an inventory.

*Writ: Mr. Tho. Woodbridge of Newbery v. Phillip Grely; for unjustly prosecuting against him at the last Ipswich court and recovering in his absence on an account that had been settled; dated June 21, 1680; signed by Robert Lord,† for the court and town of Ipswich; and served by John Stevenst of Salisbury, deputy for Robert Lord,† marshal of Ipswich, who attached the house, land and orchard of defendant and left the summons with his father at defendant's house.

Philip Greyle's bill of cost, 1li. 9s. 6d.

Thomas Woodbridge's bill of cost, 2li. 11s. 9d.

Copy of the papers in a similar action brought, Mar. 30, 1680, in Ipswich court.

John Brock† and Laurence Hart† testified that Grely had credit on Woodbridge's book for 30s. paid by Ensign Grenlif in Oct., 1672; there was due to Woodbridge on Jan. 27, 1672, 5li. 5s. 8d.; and on Sept. 18, 1677, 4li. 15s. 7d.; in March, 1680, 3li. 15s., besides a note of 30s. Sworn, June 28, 1680, before Nath. Saltonstall,† assistant.

Ephram Winslow and Steaven Greenleafe deposed that they were at Woodbridge's house at Newbury and heard Greely demand an account of Mr. Woodbridge, which the latter refused. Mr. Daniell Davison urged him to reckon up the account, but he said that Greely must pay the bill first. Also that the bill was paid by a bill to Mr. Davison without the 50s. Sworn, June 28, 1680, before Nath. Saltonstall,† assistant.

Tho. Lowle, aged about twenty-seven years, and Jno. Tappin, aged about twenty-seven years, deposed that they were present when the accounting was asked for, etc. Sworn, Apr. 20, 1680, before Jo. Woodbridge, commissioner. A copy made by Nath. Saltonstall, assistant. Copy of that copy made by Tho. Bradbury,† commissioner for Salisbury.

Laurence Hart, aged twenty-nine years, deposed. Sworn, June 28, 1680, before Nath. Saltonstall,† assistant.

† Autograph.

Mr. William Symonds, late executor of the estate of Mr. Samuells Symonds, late Deputy Governor, died intestate, without settling the estate. They were further ordered to return an inventory to the next Ipswich court, if possible, and were bound.

Mr. John Grafton, Mr. Resolved White, Jon. Felton, Zacha. Marsh, Tho. Putnam, jr., and William Stacy took the freeman's oath.

Mrs. White of Newbery was licensed to sell by retail wine and liquors as formerly was granted to her late husband in his lifetime. Upon motion by Hugh March and his son John that she might have rather a license to keep a public house of entertainment or ordinary and to draw wine and liquor, court granted it.

Richard Norman, Jon. Legg and Nathan Walton took the freeman's oath.

Mr. Jere Sheppard, Tho. Loughton and Mr. Ralph King took the freeman's oath.

Richard Hood and Jacob Knights were sworn constables for Linn.

Mr. Samuells Hardy was fined for being drunk.

Tho. Loughton, constable of Linn, was allowed for hues and cries.

Henry Stacy was appointed administrator of the estate of Joseph Armitage, and was ordered to bring in an inventory* to the next Salem court.

Joseph Eaton and Hannah Martin, for committing fornication before marriage, which they confessed, were fined.†

*Inventory of the estate of Joseph Armitag of Lin, taken July 1, 1680, by Rich. Haven‡ and John Ballard:‡ on smalle fether bed and two small bolsteres and a pillow, 3li. 5s.; too small ould ruges, 15s.; parcell of ould Clothes, 1li. 10s.; two ould chestes and beedsted, 10s.; a peare of shears and Iron, 2s. 6d.; total, 6li. 2s. 6d.

The estate of Joseph Armitage, Dr.: account of charges dew to Henry Stacy, ten weeks bord at fouer shiling per week, 2li.; cofin rail and diging the grave, 14s.; my own time tening and my wifes in time of sicknes, 10s.; in wine and sider for his buriall, 2li.; other charges at his buriall, 6s.; total, 5li. 10s.

†Beverly or Wenham presentment.

‡ Autograph.

William Suttan dying intestate, Sarah, the widow, was appointed administratrix, and made oath to the inventory* which she brought in.

Tho. Riggs was sworn constable of Gloster.

Henry Wilkins, being lame and disenabled in body for attending service in the foot company, was dismissed from attending at common trainings.

William Barton acknowledged judgment to John Cromwell.

Mr. John Ruck was allowed costs in an action brought by John Vinton and not prosecuted.†

*Inventory of the estate of William Sutton who deceased May 9, taken at Newbury, May 27, 1680, by John Badger‡ and John Kelly:‡ a hors, 4li.; plough and Irons and pin, 15s.; 3 calves, 2li. 14s.; sleed, 7s.; 3 pigs, 1li. 4s.; shouell, 3s. 6d.; whipple tree chayne, 3s.; hors harnes, 8s.; pair of fire tonges, 3s.; wheele for spining, 4s.; 2 chayers, 3s.; pair of buf gloves, 5s.; 3 sheets, 1li. 17s. 6d.; 2 pair of stokens, 8s.; 4 yards of homspun cloth, 14s.; 3 shirts, 19s.; Table lining, 5s., 2 Bands, neckcloths and handkercheifs, 10s.; pilobeir, 2s., a chest 4s., 6s.; wareing clothes, 2li. 10s.; hat and cap, 4s.; pair of gloves, 2s. 6d.; 2 glas bottles, 1s., awl, Bodkin, hamer, 2 knives, 2s., 3s.; 4 spoones, 1s., wooden ware 1s., tin ware, 5s., 7s.; skillet, grater, poringer, 5s., earthen ware, 1s. 6d., 6s. 6d.; a bible and a pair of bridle bits, 4s.; 2 pair of shooes, 9s., a saddle, 10s., 19s.; wooll, 12s., mor hors takling, 3s., 15s.; bed and blanket, 5s.; a half barrell, 2s., pair of fetters and lock, 4s., 6s.; 4 sheep, 2li. 8s.; his labor about the lot, 3li.; five pound of cotton yarne, 15s.; from Thomas Martin for keeping of his Sun, 2li.; a bushell and half of corne, 4s. 6d.; total, 30li. 19s. 6d. Debtor to Richard Kent, 5li.; Georg Maior, 15s.; Joseph Plumer, 7s. 6d.; Joseph Pike, 5s.; John Knight, 5s. 8d.; Joseph Knight, 4s. 9d.; Nicholas Noyes, 4s.; Mr. White, 1li. 10s.; Peetter Uter, 15s.; Richard Dole, sr. 9s.; Doctor Dole, 15s. 9d.; Jabis Musgrove, 4s.; John Em-mury pr a coffin, 7s.; Joshua Morse, 2s.; Steephen Greeneleaf, 15s. 6d.; John Bartlet, sr., 8s.; James Coffin, 7s. 3d.; Georg March, 1s. 6d.; John Hog, 2s. 6d.; Sammuell Plumer, 2s. 6d.; John Kelley per shooes, 6s.; total, 11li. 7s. 11d.

†Writ: John Vinton v. Mr. John Ruck; for refusing to come to an accounting and not paying for the iron he had made and other work at the Iron works in Rowley Village; dated May 1, 1680; signed by John Redington,‡ for the court and town of Topsfield; and no return made.

Jno. Ruck's bill of cost, 16s. 6d.

‡ Autograph.

The return made by Leift. Tho. Putnam, Leift. John Pickering and Tho. Flint upon the division of some land as by the will of Tho. Flint, sr., was allowed.*

John Davis, presented for abusive carriages at Mr. Ridan's house, and confessing in writing, was fined.†

Joseph Kimbal, presented for taking away Wm. Curties' mare, and the charged not legally proved, was dismissed. Wm. Curtice, for prosecuting, was to pay costs to said Kemboll or his master, Mr. Ives.‡

*Division between Thomas and Joseph Flint, of land left by their father, Thomas Flint, made by Thomas Putnam,§ John Pickering§ and Thomas Flint.§ They found Thomas Flint in possession of the whole and set off Joseph's part.||

†Wm. Hathorne,§ assistant, certified, 1 : 5 : 1680, that about the seventh month last, John Davis of Lin owned before him that he was distempered in drink.

John Davis§ acknowledged that being deprived of the right use of his reason by excessive drinking, he affronted two sober and chaste women, Mr. Ralph King's wife and Samuell Jonson's wife, and promised the court that he would be more watchful over his tongue in the future.

‡Joseph Kemball's bill of cost, 12s. 6d.

Elizabeth Ives, aged twenty-three years, deposed that sometime the past winter William Curtis, sr., came to their house and told their servant, Joseph Kemball, that he had taken the mare out of the woods and asked him to come and ride her. Kemball refused, saying that if he should break any of his bones, who should maintain him. Yet later Curtis persuaded him to ride her.

Walter Skinner, aged about fifty years, deposed that being at Curtis' shop the next morning after the mare was dead, Curtis said he lent Kemball the mare. He was to tell him how much he was to pay when he returned the mare, but Kemball left her at Samuell Gaskins'. Sworn, July 1, 1680, before Bartho. Gedny,§ assistant.

Nathanaell Silsby, aged about thirty years, deposed that when Kemball left the mare at Gaskell's, William Curtis, jr., helped Kemball out of the yard with the mare.

John Simson, aged about forty years, deposed that he was coming out of the woods last winter in the evening on this side Goldthrit's brook, when he overtook Kimball with a mare. He asked who was there "and I said John Simson I am glad of that with all my hart." He said he could not get the mare along and deponent told him he had killed her by

Theophilus Baily, Nathaniell Ingerson, Geo. Darlin, Capt. More, Good. Edmonds, Mr. Lattamore and William Benett of Manchester had their licenses renewed for keeping ordinary for the ensuing year.

riding her too hard. "O hang her," said he, "she is only fuling and will not goe." Kimball said he would be killed and was afraid to go home, whereupon deponent told him he could not stay to help him but he did help him up to Goodman Gaskin's. "He haled her and I Thrusted her," and she was so bad that she was hardly able to stand. Kimball and deponent went home together.

Alice Curtis, aged about fifty years, deposed that she told Kimball he could not have the mare, but he went to the barn, got the bridle and saddle and went away with her when deponent's husband was not at home.

Samll. Gray, aged about twenty-nine years, testified that about a year and a half since, when he was in Joseph Grayes shop William Curtice, sr., came in and asked him to help haul a dead mare out of the house. Curtis said he did not know whether the mare was killed from over-riding or whether the bots had killed her. Sworn, June 10, 1680, before William Browne,* assistant.

William Curtis, jr., aged about seventeen years, deposed that the mare was well when Kimball took her, etc.

Daniell Polle, aged about twenty-four years, deposed that he saw Kimball at Gardner's brook beating the mare, and told him he had better alight and lead her.

Anna Freind, aged about twenty-two years, deposed that she was at her father Curtis' house when Kimball came, etc.

Daniell Polle, aged about twenty-four years, deposed.

Christopher Smith, aged about twenty-one years, deposed that he was hoeing in Paul Mansfield's field with Kimball, and the latter said he would not pay for the mare, for he "did not take her to kill her and pay for her tooe for I see when I took her first that she was tooe Good for them therefore I was Resolved to doe my best Indeaure to Lay her a Sleep and if I haue not dun it I will doe it still."

Benjamin Marsh, aged sixteen years, deposed that the mare died of the bots and that there was a cluster of them gathered in one place on the maw of the mare which ate through and killed her.

William Pearce, aged about sixteen years, and James Wakefield, aged about sixteen years, deposed that they were asked to skin the mare which Curtis told them had died with the staggers, etc. Sworn, June 30, 1680, before Bartho. Gedney,* assistant.

* Autograph.

An Neale, relict and administratrix of the estate of John Neale, deceased, brought in an inventory, and was ordered to perfect it and present it to the next Salem court.

Several of the principal persons of Salem appearing and giving in the paper and list of names of those who desired a license to erect a new meeting house in the town, court granted it, cautioning them to proceed in other respects according to law that they may live in peace. Court also received at the same time a certificate from the selectmen of the town urging the necessity of another meeting house. Copy from the original paper by Hilliard Veren, cleric.*

*“Whereas itt hath pleased God to increase y^e towne of Salem so greatly within these few yeares past insomuch y^t Contrary to former expectation y^e meeting house will not Containe aboue two thirds of us wth any Conuenience y^e which is made y^e generall plea for abstayning from y^e publicke worship of god whereby y^e Sabath is greatly profaned wee therefore y^e Inhabitants of y^e said towne sadly Conidering y^e same doe Judg itt very necessary to haue another meting house and in testimony of our Reale willingness haue heare unto sett our hands:” Will. Hathorne, Georg Corwin, Jno. Corwin, Will Browne, jr., Jonathan Corwin, Jno. Price, Phillip Cromwell, Jno. Ruck, sr., Daniell Weld, Joseph Phipen, sr., Jno. Massey, Jno. Tomkins, sr., Edw. Beecham, Thomas Goldthayt, Jno. Pease, sr., Samuel Aburne, sr., Nathaniell Felton, sr., Zerubabell Endercott, Jno. Hathorne, Jno. Grafton, Jno. Turner, Habb. Turner, Will. Bouditch, Thomas Gardner, jr., Jno. Cromwell, Jno. Pil[g]rim, Will Hirst, Nickolas Manning, Daniell King, Jno. Sanders, Robert Kitching, Edward Norris, Edward Groue, Jno. Barton, Edw. Woodman, Ebenezer Gardner, Jno. Clifford, Joseph Hardy, jr., Nathaniell Beadle, Gilbert Peters, Peter Cheeuers, Stephen Haskot, Richard Prytherch, Will. Hollingworth, Jonathan Hart, Samuel Beadle, Jno. Lander, Jeremiah Neale, James Powlle, Nathaniell Sillsbe, Thomas Iues, Will. Curtis, Jacob Allin, Nickolas Chatwell, Samll. Princ, Richard Hide, Richard Flinder, Christopher Phelps, Georg Hacker, Gilbert Taply, Jno. Simson, Jno. Taply, Jno. Coocke, Peter Miller, Will. Punchard, Nathaniell Sharp, Thomas Flint, Samuel Wakefield, Joshua Conant, James Collins, Walter Whitford, Richard Prince, Jonathan Prince, Elias Mason, Edw. Wollan, sr., Ezekell Walters, Robard Follitt, Thomas Roes, Jno. Engersoll, jr., Richard Engersoll, Nathaniell Engersoll, Will. Haskoll, Edw. Wollans, jr., Pasco Foott, Huw Pasco, Frances More, Zacary White, Jno. Coole, Samuel Phipin, Jno. Beckett, sr., Peeter

Collier, Ben. Ganson, Stephen Daniell, Thomas Watkins, Jno. Chaplin, Thomas Rootes, Richard Croad, Georg Hodges, Richard Simmonds, Moseth Voden, Jonathan Pickaren, Richard Roes, Andrew Wodbery, Obett Carter, Jno. Green, Walter Monjoy, Nathaniell Pease, Jno. Williams, Joseph Williams, Isaack Williams, Frances Nurs, Thomas Beadle, Petter Badin, Phillip English, Daniell Bakon, Edw. Hillerd, Edw. Mould, Jno. Norman, Will. Henfeld, Pall Mansfield, Nathaniell Pickman, sr., Jno. Rogers, Jno. Lomes, sr., Will. Pinsent, Jno. Horn, jr., Jno. Lambert, sr., Jno. Lambert, jr., Daniell Webb, Edmund Feuryeare, Adam Westgate, Jno. Westgate, James Frooud, Jno. Frooud, Lenerd Tozer, Jno. Cleiues, Daniell Rumball, Richard Friend, Will. Traske, Isaack Cooke, Henary Cooke, Hew Jones, Jno. Foster, sr., Jno. Foster, jr., Jno. Waters, Steven Small, Jno. Mackarter, Jno. More, Jno. Pumary, Frances Collins, Thomas Mould, William Shaw, Abraham Cole, Jonathan Neale, Georg Jakob, sr., Georg. Cookes, Thomas Purchas, Jno. Traske, Thomas Robins.

At a meeting of the selectmen, July 2, 1680, "The Select men of the towne haueing taken into theire serious Consideration whatt may bee the grownd & Cause, soe many of the Inhabitants Come not to the publike worships of god upon the Lords dayes And by Examination & Enquiry finde this meeting house wee now haue is not sufficient any wayes sutable or Comfortably to Containe the Number of people heare, which together with other waightey Considerations of our present state & Condition hath Caused us as matter of duty to declare itt is our gudgment & Aprehention that itt is Nessesary both for the glory of god & the good of this place that there should bee another metting house built as soone as Conveniently may bee, And for that end in an orderly way of proceeding shall desire the Aduice or Aprobation of the Hon^d County Courte, And if by them Aproued of shall then Call together the freemen of the Towne for there Concurrence therein. p John Hathorne,* in the name of the selectmen."

"We underwritten being free men of this Jurisdiction Liveing in Salem haueing been Informed that there have been great Indeavours in a private way to draw many of the fre men of this place to signe a writeing for the Aproveing of the building of a new meeting house we conceaiving such a practice to be illegall and tending to devition & disturbance ther being noe aparent nessesitie of itt doe by subscribing heerunto declare against the thing and maner of proceeding at this time desiring that when there shall be need It may be done in a faire Legall way by mutall Concurenc without disturbance to the peace of the church and towne:" Bartho. Gidney,*

* Autograph.

The constable of Salem, having by warrant from authority made search for goods pretended to be stolen from Capt. Maning and having brought the persons with whom they were found, Elizabeth Preist, Bethiah Allin, Joseph Gray and Thomas Walter, before the court, court found the parties not to have stolen them but they were delivered to them by the wife of said Manning, the mother of the said parties, most of them in her widowhood, as she owned in court. The constable was ordered to return the goods whence he took them, leaving Capt. Maning to the liberty the laws allow to seek reparation. He was to pay costs to Constable Cheevers.*

Edm. Batter,† John Gedney, sr.,† John Pickering,† Eleazer Gedney,† Thomas Boyden,† Joseph Hardy, sr.,† John Horne, sr.,† Manaseth Marston,† Timo. Lindall,† John Higginson, jr.,† Georg Kesar,† John Marston, jr.,† Will. Dounton,† Thomas Rix,† Thomas Jeggells,† Edward Gasken,† Bengamen Felton,† Henry West,† Roger Hill,† Thomas Stace,† Francis Neale, sr.,† John Browne, sr.,† Richard Hucherson,† Nathaniell Putnam.†

*Warrant, dated July 1, 1680, to search for bedding, pewter, brass and other goods supposed to have been stolen from Capt. Manning, signed by Daniel Denison,† and returned by Peter Cheevers,† constable of Salem.

Mrs. Eliz. Manning, aged about fifty years, deposed that all the goods brought by her husband Capt. Nicolas Manning and the constable on July 2, 1680, from her former husband, Robert Gray's children, were given to them by her in her widowhood, except one pair of sheets which she told her husband about since he came last from England, and left it to his will whether he would have them again or not. Also that before she married Manning she had his approbation for giving these goods away in a writing under his hand, but he had gotten the writing away from her.

List of goods he had taken, returned July 2, 1680, by Peter Cheevers,† constable: Found at John Preist's house, 1 fethr. Bed, 1 bolstr, 1 Pillow, 1 Coverlid, 1 Blankett, 1 Curtin, one Silver spoune, 2 Red Cortens, 2 framd Pickters, 1 Looken Glase, 3 Puter Platers, 2 Sassers, 1 Earthon Salt Seller, 1 Earthen Lian, 2 Earthen Bassons, 1 Litle painted box, 1 Tronk, 2 Cosians, 1 pr. Sheets, 1 sheet Dito, 1 diapr. Table Cloth, 3 East India Cubard Clothes, 1 painted Cosian, 1 fine diapr Cubard Cloth, 4 diapr. napkins, 3 other napkins, 1 black silk hood, 1 diaper Table Cloth, 1 Towel & a pilowbere, 1 Smaile

† Autograph.

At Ipswich court, Mar. 30, 1680, Capt. George Corwin v. Samuell Bishop, executor of Thomas Bishop's estate; debt; verdict for plaintiff. Defendant was not in the country and judgment was not entered. Copy made by Robert Lord, cleric. Judgment was granted at this court and execution issued.

There being a complaint made by Mr. Phillip Reade against Margarett Giffords upon suspicion of witchcraft, he presenting several papers and evidence against her, and affirming much that he claimed he could prove by evidence, court ordered that she appear at the next Ipswich court and that he bring evidence to make good his complaint.*

Nathaniell Soames and Mary Hamond, presented for absenting themselves from public worship, were admonished and fined. James Steevens and Will. Sergent were allowed witness fees.

bundle Childbed Linen, 1 Great Judg, 1 Childs Silke Cap, 1 Great painted Box, 1 standing stoules, 1 Great wanscot Chest left thare; found at Bethia Allin's house, 1 fether Bed, bolstr & Pillow, 1 wanscote Cradle; at Joseph Gray's, one rought Cushen, one Cuberd cloth, one fether pilow; at Thomas Walter's house, one payer of sheets, on diaper tabell cloth, too diaper napkins, on rought pinchusen, one feter pilow.

Peeter Harvey and Peter Cheever, aged about thirty-seven years, testified that the children themselves, Goody Archer and Goody Mascoll, said that the goods belonged to their father and their mother kept them till she was married again. Sworn in court.

Peter Chever's bill of charges, 10s. 6d.

Bethya Archer deposed that she heard Mrs. Elizabeth Manning say that she could do no less than give her children something "seeing her husband had left itt to her Dispose, & in consideration that her to elder Children wer her two eldest she would Give each of them a bed & boulster & other things," and she put her eldest son's name on the bed and bolster. Sworn in court.

Elenor Mascall, aged about fifty-five years, deposed. Sworn in court.

*Copy of writ: Phillip Reade, physician, v. John Giffards; slander; dated Apr. 14, 1680; signed by Hilliard Veren, for the court and town of Salem; and served by Hen. Skerry, marshal, who committed him to prison at Salem.

Mr. Giffard's bill of cost, for turning the key at Boston, etc., 1li. 6s.

John Pearce of Gloster, for reproaching the minister and ministry, and for absence from public worship, was fined.

Ellen, servant of Mr. Phillip Cromwell, for committing fornication with Benjamin Hooper, was sentenced to be whipped or pay a fine.

William Robins and Pressilla Gowen, for fornication before marriage, were fined.

Peeter Streeke was presented for absence from his wife, who lives in England. Court ordered that when his son comes home, he shall appear before the Worshipful Mr. Brown, and the Worshipful Mr. Bar. Gedney and prove that the letters he presented to the court were the letters he sent home to his wife.*

Ann, servant of Samuell Gardner, jr., presented for committing fornication with William Rane, John Beckett's servant, was ordered to be whipped or pay a fine. He was fined and he was to pay Mr. Gardner 3s. per week for the bringing up of the child.

Joseph Gatchell, complained of for reviling and reproachful speeches against the magistrates and ministry, and in particular against Major Hathorne and Mr. Higgenson, was fined and ordered to be imprisoned for one week. The sentence of imprisonment was respitted. Costs were allowed Peeter Cheevers, constable.†

*Salem presentment.

†Writ, dated June 7, 1680, signed by Robert Lord,‡ for the court, and no return made.

Copy of a record of the Salem commissioners, 14 : 2 : 1680, in which Joseph Gatchell was admonished and ordered to pay costs to Jeremiah Neale for absenting himself from the public ordinances of God's worship on the Lord's days.

Peter Cheever's bill of cost, 3li. 14s. 4d.

Joseph Gatchell's‡ petition, dated June 3, 1680: that "through ye many afflictive providences that hath bin upon him is ye very low in ye world & hath neither house nor home of his owne: his wife a very weake woman," with a young child, etc., "and yo^r poore petitioner hath nothing but ye Lords help with his hands to gett his dayley bread: so that should he be now imprisoned for the weeke his wife & poore babe must perish; his trade spoyled & custome lost," etc.

Warrant, dated May 6, 1680, for Gatchell's appearance,

‡ Autograph.

signed by Robert Lord,* cleric, and served by Tho. Ives,* constable, who committed him to Benj. Fellton, goaler of Salem.

Petar Cheevrs, constable, testified.

Edmond Bridges deposed that he heard Joseph Gatchell reproach Major Hathorn and Mr. Higason, and scoff and jeer at magistrates and ministers. He also made game of praying and acted very strangely in deriding the most grave and wise in the town. Jeremiah Neale testified to the same. Sworn, May 8, 1680, before Edm. Batter,* commissioner in Salem.

Tho. Wesgate testified to the same. Sworn, May 8, 1680, before Bartho. Gidney,* commissioner.

Nicholas Manning testified that he met Gatchell and said, "Joseph what the Reson you dont Com to the Metting on the Lords day being you haue ben Convicted." Joseph laughed and replied, "I will not Com to here John Higerson nor to aney of ther Metting but when the order of the Church of England shall be satt up with the orgones then I shall Come," etc. Sworn, May 8, 1680, before Bartho. Gidney,* commissioner.

Bond, dated May 8, 1680, of John Gatchell* and Joseph Gatchell* to the prison-keeper, Benjamin Felton, for said Joseph's appearance. Wit: Edm. Batter.*

John Best testified that he heard Gatchell say within seven months that "Mr. Higginson, the minister, is one of Balles Priests and that Maj^r Hawthorne was Drunk and Gatchell said that he Led him home." Sworn May 8, 1680, before Bartho. Gedney,* commissioner.

Peter Chevers testified to the same. Sworn before Bartho. Gidney,* commissioner.

Mary Mould testified that she had some business at Gatchell's house, and in the discourse he told her that Mr. Higginson bawled like a bear, and "y^t the Ministers preached Nothing but Damnation; and that which they Called y^e Schriptures was not y^e words of God, but y^e sayings of men, and that those y^t thay Called Preachers, did only say that y^e schriptures was y^e words of God, to make simple People Beleive so: to keepe them in Ignorance." Gatchell said he knew better, etc. Sworn in court.

Mary Mould testified that Gatchell said of the authority and ministry of New England that "they are a Parcell or Cumpany of Parsecuteing Dogs, for thay Parsecuted y^e people of God," and he believed that "the Putting of the People and Seruants of God to Death, was y^e occasion of all those Great Judgments, y^t was fallen upon New England." He confessed he was "one of those that sum Call singing Quakers:

* Autograph.

Joshua Buffum and Samuell Nursse were appointed administrators of the estate of John Smith, deceased, who left a writing as his will, and also made oath to the inventory. They were ordered to pay to John Nursse, a grand child, 20li. within six months after the children of deceased, George and Exercise, come of age.*

for said Gatchell if any Are the true Seruants of God thay are, for thay sing y^e songs of Moses and Merium." Sworn in court.

*The will of John Smith,† dated 20 : 11 : 1678: "first I giue unto my soon Georg Smith the west end of my house wherin I now dwell with half the ground & the use of the ouerns in the tother roome also I giue unto my soon Georg y^e tenacker loot and saltmarsh also I giue unto Georg on peutter platter which he will marked GS also I giue unto him y^e biggest iron pot & on iron skelet & all my iron tools on new great brass kettel on great chest & great table firpan & tongs old anderens & spit on fetherbed & furnutur belonging to it on heake I giue unto my dafter Exersis on fetherbed & the furnutur belonging to it also I giue unto her on great brass pan & y^e midelmost iron pott & on brass skelett on platter marked GS on 3 pint pott on old pottenger the old brass pott to puetter sasers on brass candelstick & Georg the other brass candelstick & to Georg on pint pott: & to exersis the other & to Exersis on pine chest on littel trunk & to Exersis the est end of the house with the other part of the land joyning to it & also on pott heak & pott hookes & to Georg the other pott hookes 3 I giue unto my dafter Tamesen on trundel fetherbed & all ye furnutur belonging on littel iron pott on peutter platter marked GS on half pint *pint* of peuter on old pottenger on copper kettel & 2 sasers on whit earthen basen & the sheets & other lining to be deuided eqally amonst all fouer of my children & all this to be don after my deseas if in cause I mak not use of it befor I goe out of this world: all thes pertickelers as houshold it is my will it should be fulfilled accordingly: but as for house & land & cattel or any kind as I haue befor mentioned Georg is to haue a dubl portion & the three dafters to haue eqall shar alike & Georg & Exersis to || pay to || Mary & Tamesen: & brother Joshua Bofem & Samuel Shadock iunier to be the childerens ouerseers with the aduic of mother for the performanc of this my will: with full power to order my children for ther good as thay see best: and Georg is to dweel with Daniel Suthwick Exersis to Joshua Bofems Tamseen to her sister mary: & if in caus mother shuld tak Tamesen to her self not to let her be a looser for

† Autograph.

what she hath don for her and if in [case] Mary dy her portion to return to her soon Samuel." Wit: Caleb Buffum,* Mary Mills* and Damaris Buffum.*

Inventory of the estate of John Smith, taken Apr. 16, 1680, by John Pickring* and Samuell Gardner, jr.:* ye west end of his dweling house & halfe ye land adjoyning to his house & his barne, 45li.; ye east end of his dweling house & halfe ye land adjoyning to his house, 25li.; his ten acor lot in ye north feild & an Acor of saltmarsh, 60li.; a stear of 3 year old, 40s., 1 cow, 50s., 1 heifer, 30s., 1 horse, 40s. & a sheep, 6s., 8li. 6s.; a fether bed, bolster, pillow, 3 blanckits, 1 Rug, A winscot bedsted & Curtins and vallians & Iron Rodds, 6li. 10s.; A fether trundlebed & bedstead, 2 pillows & 4 blanckits, 2li. 5s.; A fetherbed & bolster, 2 Rugs, bedstead & 3 blanckits, 3li. 19s.; a bedstead, bedcord & matt, 10s., saddle, saddle cloth & stirrups, 20s., A window Cloth, 2s., 1li. 12s.; 4 pr. large sheets, 3li. 4s., 3 small sheets, 10s., 10 pillowbears, 10s., 10 napkins, 4s., 4li. 8s.; A 3 pint pot, a pint Ale measure, 1 pint pot. halfe pint pot wine measure, 3 old porengers, 2 small old sacers & 1 new sacer, a half pint bottle, a beaker, 3 old platters, 2 small dishes, a new bason, a plate, 2 old chamber potts, 1li. 12s. 6d.; 2 brasse candlesticks, 11s., 5 glasse bottles, 3s., tin ware, 2s., a silver dram cup, 3s., 1li.; a great ston Jug, 3s., 3 small Juggs, a white bason, platter & a pott, 4s., 7s.; 6 small glasses, 6d., 1 doz. trenchers, 9d., a new paer womens shoose, 2s. 6d., 3s. 6d.; 5 earthen potts, 1s., 1 small earthen Jug & saltsellor, 9d., a podd, 18d., 3s. 5d.; 2 linin wheals, 5s., 6 wooden trays, 4s., A corn basket, 6d., A old hhd. & 8 old barels, 4s., 13s. 6d.; A great Chest, 10s., a box, 3s. 6d., a meal trough & 3 old meal baggs, 6s. 6d., 1li.; 5 oagers, a speak gimblit, 2 hand playnes, a fore plaine, 2 Cresing playns, 7s. 6d., severall other working tools, 34s., with old Iron, 1li. 14s., A small table, 18d., a great table, 5s., 6s. 6d.; 1 fire shovel, 1 pr. tongues, 18d., a frying pan, 1s., an Iron skellet, 4s., 6s. 6d.; 3 Iron potts, & potthooks, 14s., 2 brasse potts, 7s., 1li. 1s.; a spade, pr. fettors, half bushel, peck & 5 wooden dishes & bread Tray, 6s. 6d.; brass mortar, 2 presing Irons, 1 box Iron, 2 heators & a pr. sheers, 9s.; an ower glasse, 6d., 3 oald sives, 1s., 6 old chayers, 6s., 8s.; 1 great brasse Kettle, 40s., midling old brasse Kettle, 8s., 1 smal Kettle Copper, 8s., 2li. 16s.; a great brasse pan, 12s., a little Kettle, a skellet & skimer, 3s., a warming pan, 6s., 1li. 1s.; pr. wooden skulls & 4 waits, all 10 1-2li., 3s. 6d., a pine Chest, 4s., 7s. 6d.; Cart & wheals & slead, 22s., 2 hakes, 2s. 6d pr. ps., 1li. 7s.; about 2-3 of a barrel pork, 30s., a swine in ye woods of 3 year old, 15s., 2li. 5s.; total, 174li. 15s. 5d.

"There are severall debts demanded of ye estate as alredy

* Autograph.

Tho. Farow, presented for offering abuse to Wm. Swetland and Mary Robinson, upon the highway, the woman being in danger of receiving hurt on account of her condition, was fined 5li.*

William Rane, presented for committing fornication with An, Mr. Samll. Gardner's Indian servant, and being in her company with other suspicious carriages at unseasonable times, was fined, and for being the reputed father of the woman's child, was ordered to pay 3s. per week to her master for the bringing up of the child.†

appears to ye value of 13li. od Monys & what more May be we yet know not, as also about 6li, od Monys due to ye estate, but what time will farther Manifest we know not, for we have not as yet ye full certinty of things from ye place where he dyed wch was in Vergenia. Joshua Buffum,‡ Samll. Shattock, jr.‡"

*William Sweatland, aged about thirty-four years, and Martha Robison, aged about thirty-four years, deposed that on June 16, returning from Boston on horseback to Salem, the place of their present habitation, at the brook ont his side Lynn pond, they let their mare drink. They saw several men riding toward them in the broad highway and he hastened to ride out of the brook, turning into a little path to give them the way. Mr. Thomas Pharo of Lynn was riding ahead and when he was opposite them he turned his horse out of the broad highway and came very fiercely towards them, forcing their mare over backward, and throwing them off. Martha Robison was thrown upon a log and lay upon her back, and Sweatland tried to persuade Pharo to be civil to the woman on account of her condition, but he threatened to beat him saying he would answer before the King. The gentlemen who were with Pharo were very civil, helped the woman up and tried to persuade Pharo to stop. After they mounted the mare again, he followed them, using threatening words. This happened upon the common road or King's highway. Sworn in court.

Summons, dated July 30, 1680, to Wm. Sweatland and Mary, wife of Samuell Robinson, as witnesses.

†Deliverance Towne, aged sixteen years, testified that she saw William Raine in company with Ann, her master's servant, several times about ten or eleven o'clock at night. Sworn in court.

Arrow, negro, testified that "Ann my masters servant," etc. Sworn in court.

‡ Autograph.

Andrew Tucker, presented for selling liquor and cider without license, was fined. [Phillip Welch was allowed witness fees. — *Waste Book*.] Mr. Will. Browne, sr., promised to pay.*

Andrew Tucker was licensed to sell strongwater only for furnishing his own fishermen when they went to sea.

Peeter Cary was fined for being drunk, which fine Mr. Richard Knott paid.†

Mr. Eliazer Hathorne dying intestate, and no one appearing to administer, court ordered the marshal to make inquiry what estate could be found and make return to the next Salem court.

Hager, Mr. Rucke's "neager," for committing fornication, was sentenced to be whipped or pay a fine.

Tony, Mr. Batter's "neager," for comitting fornication with Hager, Mr. Rucke's "neager," was sentenced to be whipped or pay a fine.

Mathew Dove was freed from common training, paying 12d. per year to the use of the company.

The servants of Mr. King's house were allowed 10s.

Whereas there was an order of court, 27 : 9 : 1677, whereby Samll. Ward and Ben. Parmiter, overseers of Tho. Calye's estate, were impowered to sell enough land to raise 9li. to pay Capt. William Browne for what he paid to one John Symonds of Pocassett for keeping one of Caly's children, and

Mary Smith, aged about thirty years, testified that she watched last September with the wife of Samuel Gardner, jr., and going into the kitchen about twelve o'clock at night saw Ann and Raine there, etc. Sworn in court.

Mary Woodbery, aged about fifty years, testified that she was with Ann when the child was born and Ann told her that Raine said he was a single man and would marry her. Sworn in court.

Salem presentment.

*Marblehead presentment.

Phillip Welch, aged about forty years, deposed that he had bought rum and cider of Tucker several times the past year, and William Browne deposed that he told deponent that he had no license except for his own crew.

†Marblehead presentment. Wit: John Martin and William Browne.

Phillip Welch and John Martin deposed. Sworn in court.

said overseers failing to perform this order and Capt. Browne being still unpaid, court ordered Hen. Skerry, marshal, to make sale of land to pay the obligation with interest.

Mr. Haskett, Mr. John Higgenson, Mr. Maverick, Capt. Wm. Browne, Capt. Jon. Corwin, Mr. Jon. Gedney, Mr. Timothy Lindall, Mr. Bowditch, Mr. Thomas Gardner, Samll. Shattock, sr., Mr. Nehemiah Willowby, Mr. Samuel Ward and Mr. Ben. Gerrish were licensed to retail strongwaters out of doors, and Richard Reath and Jon. Petherick, to their own fishermen.

At a county court at Boston, Apr. 27, 1680, administration upon the estate of Hilliard Veren, jr., late of Salem, deceased, in the Island of Barbados, was granted to his father Hilliard Veren, Capt. John Price and Hannah, the widow, the settlement to be in accordance with a writing left with his father before his going away, and also an agreement between Hilliard Veren and Hannah Veren, signed and sealed. This was confirmed, June 29, 1680, at Salem court, by Nath. Saltonstall, and an inventory allowed.

John Collens dying intestate, Abigaile Collens, the relict, was appointed administratrix of his estate, and an inventory* was allowed. An agreement between the widow and children and relations of the father and mother was allowed.

*Inventory of the estate of John Collins of Lynn who departed this life about Dec. 22, 1679, being cast away at sea and dying intestate, taken Mar. 27, 1680, by Andrew Mansfeild† and Ralph King,† and presented by Abigaile, the widow of the deceased: weareing apparrill yt was not lost at sea, 3li. 8s.; Beding, Bedsteads, sheets, curtaines, vallene, 17li. 1s.; cubord, cuboard cloath & a chest, 3li. 5s.; Tables & joyned stools, 1li. 12s.; an ould cuboard, cradle, cheers & wheels, 1li. 5s.; 5 cows, 2 oxen, 2 steers, 33li. 10s.; 19 sheep, 9li. 10s., puter & a Lattin pann, 1li. 15s., 11li. 5s.; Brass, 2li., Iron pott & kettles, frying pan & a mortar, 1li. 14s., 3li. 14s.; dog Irons, pot hooks, a pot hanger, 1li. 5s.; Armes, 4li., stiliard, 10s., syths & sickles, 10s., 5li.; smoothing Iron, 3s., wooden ware, 10s., tooles & ould Iron, 1li. 15s., 2li. 8s.; A Hatt, cuboard & a Box, 12s.; plows, carts, yoaks, chaine, 2li. 2s., 2li. 14s.; woollen & Linnen yarne, 1li. 6s., cardes, 3s., Bibles, 8s., 1li. 17s.; pare of tongs & a fire shovell, 3s., Porecke, 1li. 10s., Barrills, 12s., 2li. 5s.; Graine, 3li., A Fann,

† Autograph.

Will* and inventory of Ann Cole were proved and allowed.

sodle, ould Boots & Flax, 1li., 4li.; Looome, Harnice & sleas, 2li., an houre glass & a sive, 2s., 2li. 2s.; the Land the houses stand uppon with the houses & orchard, 80li.; thirtye two acres of Land & meadow, 160li.; 4 Acres & an halfe of meadow in Wigwam meadow, 13li. 10s.; pare of scales, weight & Adse, 5s.; Monyes, 5li.; A sixt parte in the saw mill, 5li.; woolen cloath, 2li., more Lynnen Cloath, 10s., 2li. 10s.; an ould chest & a box & an inkhorne, 3s. 6d.; two mares, 1li. 10s.; one Grindlestone, 10s., a warming pan, 2s., 12s.; total, 365li. 1s. 6d.

Agreement, dated last third day of June, 1680, as to the settlement of the estate of John Collins, who left a widow and twelve children, signed by Abigail (her mark) Collins, Samuel Collins,† Joseph Collins,† Andrew Mansfeild,† Henry Collins, sr.,† and Henri Collins, jr.:† to the widow all the moveable estate, both stock and store, within doors & without, as her free estate, 111li. 11s. 6d., leaving the houses, lands, etc., amounting to 253li. 10s., to be disposed of, one-third to the widow during her life, the other two-thirds to the two eldest sons, equally, Samll. and Joseph, when they reach the age of twenty-one, said Samll. having a good trade as a gunsmith which makes up to him his double portion; the widow was to have the improvement of the whole estate while the two sons were under age, after which she was to have her thirds for life, and at her death it was to go to the two sons, they to pay to their brothers and sisters Benjamin, Daniell, Nathaniell, John, Elizabeth, Mary, Hannah, Loes and Alice Collins, 10li. at age, their sister Abigaile Townsend having already received her portion; if any died, their shares to go to the survivors equally; Samuell and Joseph were to live with their mother, and not to leave her, but carry on the business for her. The eldest son appeared and agreed to this writing in court.

*The will of Anne (her mark) Cole‡, dated Nov. 1, 1679, "Relict and Administratrix upon the Estate of my deceased Husband Thomas Cole and although I am at present trough gods visitation upon me sick and weake in respect of bodily health yet blessed be God of sound & perfect memory: & well knoweing my husbands mind with respect to ye disposeall of what Estate he left unto me, weh was to be devided Between his Two children as I see cause I doe therefore in faithfullness thereunto: Thus in my last will and Testament made ye day & yeare abouesaid Bequeath as ffolloweth vzt Imprimis I give and bequeath unto my Son Abraham cole upon y^e consideration of his being my eldest Son y^e sum of

† Autograph.

‡ Seal.

Inventory of Leift. Georg Gardner was filed with the will in the records of 9 mo. 1679.

Ten pounds in silver weh is the Tenn pounds he hath already received of m^r Jonathan Corwin in part of forty five pounds for my Lott in y^e North field by me sold ye said m^r Jonathan Corwin Item my Will is that all *all* my debts shall be justly paid out of my estate weh. I may leave. after me; weh being don by the care of my Executo^r & Trustees to see ye due performance of this my will The remainder I will that it shall upon an equall valluation be divided I say equally between my Two Sonns: Abraham Cole & John Cole: That is to say my Son Abraham shall have ye Land sowerly Towards y^e Streete upon weh his Two howses stand and ye ground thereunto now fenced in; with so much backward in y^e said Lott: as in valluation shall be made an equall half of y^e said Lott: & y^e remainder of my said Lott whereon my old howse stands northerly: I give and bequeath unto my Son John Cole: & this Land as it shall be my Trustees in equity be divided. I give to them my said Two Sonns their heires Executors and Assignes for ever: And also for my moveables Goods & chattells after my debts are paid: I will that it shall be equally divided between my said Two Sonns Abraham Cole & John Cole & for my Executo^r I apoint my Son Abraham; and for my fiffes in Trust: whom I would in a christian request crave y^e flavor of seing this my Will prformed, are m^r. Edmond Batter & m^r. Hilliard Verren Senio^r In witness whereof I have hereunto Sett my hand & Seale y^e day & yeare abovesaid" Wit: Frances (her mark) Croade, Dorcas (her mark) Rist and Richard Croode.*

Inventory of the estate of Anne Cole, widow, of Salem, taken by Abraham Cole,* executor: a dwelling house with out houseing belonging and about one acre of lands adjoyning, on part of which land Abraham Cole hath built two houses all which was valued and appraised by 2 men after my fathers decease, April 20, 1679, 50li.; due from Mr. Jonathan Corwin for a 10 acre lott in the north fields, 35li.; total, 85li. "The rest of the goods & chattells were disposed of by my mother and divided by her before her decease."

Debts due from the estate of Anne Cole, widow: to Doctor Welds, 2li.; Doctor Swinerton, 1li. 5s.; the nurse, 3li.; Capt. Price, 3li. 15s.; Deacon Horne, 1li.; Mr. Rich. Croade, 18s.; John Leech, jr., 10s.; Benjamin Gerrish, 6s.; goody mansfield of Lyn, 7s.; William Beanes, 2s.; Mr. William Browne, jr., 1li. 3s., for writings made, 6s.; the funerall, 3li. 10s., Mr. Samll. Gardner, jr., 8s.; to Hilliard Verren, jr., 11s. 8d.; to the cleark for this & my fathers will & inventorys, 8s.; total, 19li. 9s. 8d.

* Autograph.

Ann, relict and administratrix of the estate of Wm. Lake, presented an inventory,* which was allowed. After paying the debts, she was to have the remainder for the bringing up of her children until they come of age, namely, Abigaile and Mary, who were to have 10li. each at age or marriage, the house and land to be bound for security.

John Preston, administrator of the estate of Jacob Preston, presented an inventory.†

*Inventory of the estate of Mr. William Lake, taken June 26, 1680, by Edward Mowle‡ and Francis Neale, sr.:‡ the housing and Land, 110li., Bedding, Boulster, sheet, Ruggs, & blanketts in ye Little Roome, 6li. 4s.; Beding, Boulsters, sheetes, Ruggs and Blanketts in ye chamber, 5li. 12s.; Bed, Boulster, blanketts, sheets, pillow, Rugg, old Curtaines & a Bedstead in ye Great Roome, 6li. 13s.; halfe a Douzen of Joynt stooles, 11s.; a Round Table, 12s.; a paire of Andirons, 1li.; Bedstead & Trundlebed in ye chamber, 1li. 15s.; 13 old chaires, 16s. 3d.; one Chist in the chamber, 3s. 6d.; one chist more, 12s.; 8 Boxes, 7s.; one Trunk, 10s.; one small old Chist, 4s.; two Cuppboards, 3s.; one paire of old Andirons & a small paire of Dogges, 10s.; Fier Tongs & a fyer shovell, 8s.; two Gridirons & a chaffing Dish all old, 5s.; two Haikes, 7s.; a Jack & a spitt, 12s.; 3 Iron potts, one Iron kettle & a frying pan, 1li. 10s.; 3 pair of pott hookes, a flesh hook, one Douzen of Iron skewers, 6s.; 2 small Brass skilletts & a kettle, 12s.; scales and a paire of stilliards, 9s.; a Callico cuppboard cloth, 2 old cushings and a few Glasses, 3s.; pewter, 8li.; Tinn ware, 10s.; Earthen ware, 10s.; a Carpett, 10s.; 3 old Tables, small, 10s.; Nine pair of sheetes, 5li. 5s.; 4 Tableclothes & 4 Cuppbord clothes, 1li. 6s.; 68 Napkins, 4li. 6s.; pillowbeers, 14s.; Tooles, 1li.; wheele and a small Looking Glass, 7s.; a furnace, 2li.; a Mashing Tubb, Tubbs, old barrels and Bucketts, 2li.; a Grindstone, 6s.; a Sow and piggs, 1li. 10s.; timber to work Upp, 15s.; total, 171li. 12s. 9d. Debts due from the estate to Deacon Goodhew, 60li.; Mr. William Brown, jr., 10li.; Captaine John Corwin, 7li.; Mr. John Cromwell, 5li. 8s. 1d.; Mr. Thomas Ives, 11li. 13s. 5d.; Mr. Hurst, 10li.; Mr. Knights of Newberie, 3li.; total, 107li. 1s. 6d.

†Inventory of the estate of Jacob Preston, "who in all probabilitie hath been departed this life for these severall months haveing bin wanting about nine or tenn months, gon forth in a small Ketch upon a Fishing designe to ye eastward & never yet returned nor certainly heard of, his goods presented

‡ Autograph.

John Norman, administrator of the estate of his mother, Arabella Norman, brought in an inventory.

Ann, relict of John Day, was granted administration upon his estate, and brought in an inventory* which was allowed. She was to have the estate for the bringing up of the children.

by Thomas Preston," and appraised in Salem, June 30, 1680, by Richard Croadet and John King†: a chest with a Lock & Key, 60s.; one Hatt, 4s.; an old paire of Breeches, 6s.; A new red cloath wastcoate, 15s.; A paire of dowlas drawers, 4s.; A paire of cotton & Lynnen drawers little worne, 3s.; one yard & half of holland, 7s. 6d.; A genting neck cloath, 1s.; due to the estate per Levy Preston, 2li. 5s.; Samuel Preston, 1li. 5s.; total, 5li. 16s. 6d. The estate is debtor: to Mr. Nehemiah Willowby, 13s. 1 1-2d.; Nathaniel Ingerson, 7s.; Sarah Traske, 1li.; Symon Horne, 12s.; Benjamin Horne, 12s.; Thomas Preston, 2li. 4s.; total, 5li. 8s. 1 1-2d. "Un-resolved how ye accot. stands between Mr. William Bowditch & ye abovesaid Jacob Preston, Thomas Preston haveing don his best endeavor to have had a settlement but cannot as yet attaine it."

*Inventory of the estate of John Day, taken June 26, 1680, by Edward (his mark) Wollond, sr., and Joseph Hardy, jr.:† 2 bedsteads and beding belonging to them, 2li. 10s.; a hous wick stands upon Mr. Jos. Graftons land, 65li.; 1 chest, 1 box, 2 tables, 7 chairs & 2 stools, 18s.; 1 Iorn pot, 1 Iron skellet, a pr. bellows and 1 pr. tonges, 1 warming pan, hake, box and heators, 13s.; 1 muskit and an old cutlis, 11s.; wollen wheel, a pr. cards and Earthen things, 5s., his old sea cloths, scale, compasses, a forestaf, old callender and 2 sives, 1li.; money, 2li. 4s.; total, 73li. 1s. Debts due from ye estate to Mr. Joseph Grafton about 12li.; Mr. John Grafton about 8li.; Mr. Tho. Ifes about 10li.; Mr. Edm. Batter about 2li.; Capt. George Corwin about 3li. 10s.; Mr. Tho. Skinner in money, 5li.; total, 40li. 10s.

Copy of a record of the county court held at Boston, Oct. 29, 1672: Peter Goulding, convicted of antedating writings and stirring up persons to go to law and buying debts to vex others with suits, was ordered to be disenabled for pleading in any court as an attorney or assignee, except in his own case, and not to undertake to draw up any writings for others without allowance of authority, also to pay costs. Copy made by Isa. Addington,† cleric.

Petition of Richard Knott,† John Legg,† Richard Reith,† James Dennes† and Thomas Pitman,† selectmen of Marblehead, "considering the low and necessitous condition of m^r

† Autograph.

Thomas Elbridges family providentially cast in and now left with us the upholding and comfortable subsistence whereof hath depended much and doth now wholly on a liberty of selling liquour beere and syder by retaile which the honoured Courte was pleased formerly to Grante to ye said Elbridge and being our selues well satisfyed w^{ch} ye prooffe w^{ch} ye young woman, his daughter Elizabeth, hath giuen of her prudence in managing those family concernes left with hir and of her modest sober and in offensive behaviour among us: we doe by these giue our approbation of y^e said expedient and in hir behalfe humbly request this honoured courte to commiserate ye case of ye family and y^t they would be pleased to continue ye said liberty till such time as she can haue reliefe from hir father being now necessarily absent in Jaimaica and give her licence in ye day time to sell liquor beer and syder in y^t parte of y^e house where ye family is left under which roof another family dwells y^t she may be able to provide for and maintain those four small children left with hir: The gratifying of her herein whateuer face it may seeme to carry with it will we hope occasion no disorder which at all times we shall be carefull to watch against and indeauour to preuent and will ye more oblidge both hir and our selues."

Daniell Peirc,* Peter Cheny,* Richard Dumer* and Anthony Somerby,* selectmen of Newberry, on May 27, 1680, petitioned the court that Mrs. Anne White should be continued to sell wine and liquors according to the license formerly granted to Capt. Paul White, and "because she finds some disturbance, we desire that if there may be any way found to secure her selling as afforesayd till the next County court at Salem, when her licence may be farther enlarged, it may be effectually done."

Richard Dumer,* Daniell Peirc,* Anthony Somerby* and Peter Cheny,* selectmen of Newberry, petitioned the court in May 29, 1680, that "considering that the town is much increased, & by reason of trading being begun to be sett up among us, like to be enlarged more, & the towne being much scattered, whereby many want some sober refreshm^t on the Sabbath dayes, upon the motion of Mrs. Anne White we desire to recommend her as a meet person to the Court, that if they see fitt she may be licensed to keep a house of publicke entertainment," etc.

Receipt, dated May 13, 1680, given by Returne Waite* to Mrs. Ann White, for 40s., on account of Mr. Paull Dudley, for custom for the drawing of wine and liquor.

Account of what charges John Massey have been at with my Father & Mother in the tyme of there Age & weaknes Begining in March 1672 and for my Father & Mother con-

* Autograph.

tinewed together for the space of fore years & a half in much weakness before the time of his deceas: there is alowed for there dyat & Tendance, 90li.; alowed for 8 cords of wood by the yeare for 4 years & upwards, 14li. 8s.; wine & Lickars as there needs Required, 1li. 12s.; funerall expences for my father, 2li. 10s.; Debt to Mr. Browne, sr., 3li. 12s.; to Capten Georg Corwin, 4li. 8s.; total, 116li. 10s. Charges about my Mother after my father's decese by the means of hir long weaknes of Boddy for the space of two yeares & a half or more no waies Able to help himself but we Mostly to help hir In that condition, 30li.; hir Funerall Expences, 1li. 18s.; losses to the estate by waste of Beding & other things, 5li.; the Oversears considdering the extreordinary Troble that was with my Mother have thought good to ad 11li. more Tords my satisfaction; total, 164li. 8s. The whole inventory of my Father's estate, 214li. 8s.

Henry Skerry, sr.,* and Francis Skerry,* the overseers to the will of Jeffery Massey, approved of this account of John Massey as executor to his father's estate July 1, 1680, and there being fifty pounds remaining to be paid to the children according to the will after his and his wife's decease, we have set apart one house and one acre of land with half an orchard thereto belonging and half a barn thereunto belonging valued at forty pounds for their security, and also another acre & quarter of land in the pasture toward the North Ferry at ten pounds.

Addition to the inventory brought in by Mr. John Massey as executor: 10 cord of wood, 4li.; corne, 2li.; Mony, 16s.; Breaking up of land, 2li. 8s.; the improvement of land at six pounds by the yeare for seven years, 42li.; other payments, 12s.; total, 50li. 16s.

Thomas Brockett's* petition to the Salem court: that "under y^e greate affliction that he groanes under, by reason of his wifes cruell carriage towards him, is compelled to make his address to yo^r honors, to declare unto you his pittifull case wch he is brought into by reason of his wifes cunning & fraudulent dealing with him. . . . being a poore simple man as that he was ouercome to yeild to sett his hand to a writing: made to M^r Crumwell; whereby is alienated & made away from yo^r poore petitioner howse and Land & all that he hath; so that he hath not now so much as an howse at his command to cover his head under; nor any other thing for his relief more then what y^e Lord helps his poore old hands to worke for, besides her unchristian & inhumane carriage to me when at any Tyme I am in y^e howse with her; wch christian modesty forbids me to speake of; although it be not hid from my neighbors; who are able to give full evidence for me."

* Autograph.

Bill of charges of John Foster, sr., and Hugh Joanes at June court, 1680, also John Small and his wife, in the presentment of Brocket's wife for disorderly living with her husband.

Mary Joanes, aged about twenty-nine years, testified that they did not live orderly as man and wife ought to do.

Writ: John Woolcote of Newbury v. Mr. John Deverux, sr.; debt; dated June 8, 1680; signed by Moses Mavericke,* for the court and town of Marblehead; and served by Richard Norman,* constable of Marbellhead.

Writ: Capt. John Price v. Bartholmew Foster; debt; dated May 31, 1680; signed by Hilliard Veren,* for the court, and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of the house and land of defendant, and left the summons with his wife.

List of presentments, signed by Thomas Putnam,* in the name and with the consent of the grand jury:

Salem presentments:

Philip Mudle, for his long absence from his wife, she living in England, and he attempting marriage with another woman.

Wit: Andrew Serjant and the wife of Joseph Majory.

Andrew Sargant, aged about twenty-four years, testified that he being in England in April last, one Robart Gooding brought him a letter which he said was from Phillip Mudell's wife, saying that she was well, and asked deponent to deliver the letter in New England. It was addressed to Phillip Mudell, her loving husband. Sworn, July 1, 1680, before Bartho. Gedny,* assistant.

Joseph Sibly and Jonathan Very, for being drunk upon a day of Thanksgiving. Wit: Jeremy Meacham, sr., and Edward Bridges, jr. Wm. Hathorne* fined them.

The wife of Mr. Willyam Bowdish, for excessive drinking. Wit: James Polin, Thomas Sanders and the wives of Philip and Thomas Cromwel.

The town of Salem, for the highway at Frost fish brook being insufficient for want of a bridge. Wit: John Abbey and Thomas Patch.

Lynn presentment: Rachel Mirrick and Philip Harris, for fornication.

Marblehead presentment: a negro servant of Richard Rowland, for fornication.

Glocester presentment: Tymothie Day and Phebe, his wife, for fornication before marriage.

Summons, dated July 30, 1680, for persons presented from Salem, signed by Hilliard Veren,* cleric, and served by Joseph Hardy,* constable of Salem, who made return that Phillip Muddle was at sea, fishing, and William Rane could not be found.

* Autograph.

Venire, dated May 4, 1680, for Wenham, signed by Hilliard Veren,* cleric, and served by Samuëll Moulton,* constable of Wenham, who returned the name of Thomas Patch for the jury of trials.

Venire, dated May 4, 1680, for Gloster, also summons to John Pearce, Nathaniell Soomes, Mary Hamonds and Abigaile Soomes, for absence from public worship, also William Seargeant and James Steevens, as witnesses; and Samuëll Elwell and William Seargeant, sr., as witnesses in the presentment of John Webber and George Hiskett, for sailing on the Lord's day, signed by Hilliard Veren,* cleric, and served by Thomas Millet,* constable of Gloster, who returned the names of William Sargent, for the grand jury, and Jacob Daves, for the jury of trials.

Venire, dated May 4, 1680, for Beverly, also summons to Samuëll Hardie, for drunkenness, with Anthony Wood and John Bennett as witnesses, signed by Hilliard Veren,* cleric, and served by Hen. Herrick,* constable of Beverly, who returned the name of John Lovett, jr., for the jury of trials.

Venire, dated May 4, 1680, for Marblehead, also summons to Peeter Allexander and Sarah Roberts, for fornication, signed by Hilliard Veren,* cleric, and served by Richard Norman,* constable of Marblehead, who returned the names of Erosamus Jeames for the jury of trials, and that Sarah Roberts could not be found.

Summons, dated 30 : 4 : 1680, to a negro servant of Richard Rowland, for fornication, Peeter Cary, for drunkenness, with witnesses, John Martin and William Browne, and Andrew Tucker, for selling strongwater contrary to law, with witnesses, William Browne and Phillip Welch, signed by Hilliard Veren,* cleric, and served by Richard Norman,* constable of Marblehead, who returned that he could not find the negro.

Summons, dated June 30, 1680, to Rachell Mirrick and Phillip Harris, also Thomas Farrow, signed by Hilliard Veren,* cleric, and served by the constable of Lynn, who could not find two of the persons.

Venire, dated Apr. 26, 1680, for Linn, also summons to John Davis, for abusive carriage at Mr. Redding's house at Marblehead, in calling Samuëll Morgaine dog and devil, with threatening and quarrelling language, also summons to Mr. Raulph King and Samuëll Johnson, as witnesses, signed by Hilliard Veren,* cleric, and served by Samll. Cobbett,* constable of Lyn, who returned the names of Left. Oliver Purchis, Left. Ralph King, Cornet John Lewis and Edward Marshall, for the jury of trials, and Henry Collins, sr., Henery Silsbee, Ensign Bancraft and Joseph Mansfeild, sr., for the grand jury.

* Autograph.

Samuell Cobbett and Joseph Roads, constables of Lyn, returned that at a town meeting on June 1, 1680, Richard Hood and Jacob Knight were chosen constables, and Mr. Thomas Loughton, Capt. Richard Walker and Capt. Thomas Marshall were chosen commissioners to end small causes.

Edward Rawson,* secretary, certified that at a General court at Boston, May 19, 1680, Mr. Jeremiah Sheppard, Mr. Ralph King and Thomas Loughton, jr., of Lynne and Richard Norman, John Legg and Nathaniel Walton of Marblehead were admitted to the freedom of this colony.

Search warrant, dated May 25, 1679, to the constables of Salem, Marblehead, Linn, Malden, Cambridg, Watertowne and Dedham, for a negro who had broken prison at Salem, having run away with a great chain about one of his legs; he was charged with attempting the life of a young woman in the woods, so as to endanger her life; he was of middle stature, called John, wore a light-colored serge coat and sad-colored breeches; signed by William Hathorne,* assistant; this hue and cry was given to Tho. Layghton, constable.

Jo. Woodbridge,* commissioner, certified that on May 27, 1680, Henry Stacy of Marblehead and Jane, his wife, brought to him their daughter Martha, who was very feeble, very much bruised, black and blue in her face and arms and seemed very much besotted as if she had lost her understanding and speech, and he considered her to be in a very dangerous and evil condition; she could give no information as to how it happened. Wit: Jno. Richardson.* Edm. Batter* saw her on May 31, and testified to the same.

Petition, dated June 29, 1680, of Henry and Jane Stacy of Marble Head, to the Salem court: that they put their daughter Martha Stacy as a servant to Joseph Cocker of Newberry, and upon information of her bad usage there, they went to see her and found her beaten black and blue, with many marks on her body, so that some doctors despaired of her life. They went to Mr. Woodbridge but as he was not now a commissioner, he could not prosecute said Cocker, and petitioners not having money to commence a suit against him for such a crime of high abuse, breach of God's and His Majesty's laws to the scandal of the Commonwealth and religion, they asked the court to appoint someone at Newbury to take evidence in the case.

Old Goodman Coker, Benjamin Coker and his wife, Jane Ordaway, Debora Pilsbery, Mary Williams, Goodman Chandler's wife, Sarah Hale, John Hale, Samuell Smith of Rowley and Thomas Thorrrill and his wife of Newbury were witnesses.

Mary Williams, aged upward of sixteen years, deposed that she saw Martha's condition and asked Mrs. Cocker how

* Autograph.

On Dec. 29, 1679, Steephen Haskett and John Williams testified that Mr. John Browne of Salem took possession of the remainder of that land which was formerly the land of John Browne, jr., deceased, after the execution was satisfied, for Hannah Browne, relict of James Browne, also of a piece of land of John Browne, deceased, which he bought of Job Hilliard, lying near the house, and which said John formerly lived in. He took possession in behalf of John Browne, son of John Browne, deceased, as his guardian. Sworn, 30 : 4 : 1680, in court at Salem.

it happened and she replied that she was drunk and fell down.

Debora Pillsberry, aged twenty-eight years, deposed that when pears were ripe last year, she passed Cocker's house and saw Mrs. Cocker beat Martha and call her vile names.

Sarah Hale, aged about forty-four years, deposed as to the good health of Martha when she went to live with the Coker's.

John Hale, aged about eighteen years, deposed that Martha was beaten.

Jane Ardaway deposed that she saw Mrs. Coker beat Martha but her father Ardaway was not willing for her to testify before the hearing.

William Beale, sr.,* deposed that he being moved with compassion at the sight of such an object of pity and at the request of spectators rode to Newberry and inquired about the child's usage. He wrote down what the people said from their own mouths. The neighbors urged the Cokers to return her to her parents rather than abuse her, but they replied that her parents were poor and kept by the town and cared not what became of her.

From the files of the Salem Commissioners Court:

Warrant, dated Apr. 6, 1680, for the apprehension of the wife of Jno. Wilkinson and the wife of John Bekett, jr., for being drunk, signed by Bartho. Gedney,* commissioner in Salem, and served by Peter Cheevers,* constable of Salem.

John Best's bill of cost against Samll. Gatchell, 15s. John Williams and Simond Booth mentioned as witnesses.

Warrant, dated 24 : 12 : 1679-80, to search for in any house, vessel or ship the goods stolen from Samll. Gatchell, signed by Edm. Batter,* commissioner in Salem, and served by Ja. Poland,* constable, who made return that he found a great brass kettle, a chest and an iron kettle in John Best's house.

Jonathan Gatchell, aged about thirty-four years, testified that John Best bought of him a chest, and that he received his pay from William Buckley. Sworn, Mar. 25, 1680, before Moses Mavericke,* commissioner. Gatchell further testified that this chest is the chest in constable Poland's hands. Sworn, 7 : 2 : 1680, in the Commissioners court.

* Autograph.

Receipt, dated June 28, 1677, given by Joseph Gatchell* to John Best, for all the goods and household stuff that belonged to Samuëll Gatchell. Wit: John Willames* and Simeon Booth.*

Joseph Gatchell, aged about twenty-eight years, testified that about six years since he saw his brother Jeremiah Gatchell deliver a sow worth 20s. to Jonathan Gatchell for the use of his brother Samuëll Gatchell, in consideration of the chest, Jeremiah Gatchell, aged thirty-two years, testified. Sworn, 7 : 2 : 1680.

Thomas Brintnole, aged about fifty years, testified that when Joseph Geatchil came from Barbados, deponent was at John Best's house at Salem, and Joseph said he had an order from Bethiah Getchel to receive the goods which she left with him. There was a chest which Joseph said was his sister's. Jonathan made it. Joseph sold the brass kettle to Best and gave the iron kettle to Best's little child. Sworn, Mar. 20, 1679-80; before Hum. Davie,* assistant.

Jonathan Gatchell, aged about thirty-four years, testified that the kettle was sold for house room and a new hogshead, which Joseph Gatchell had of John Best. Sworn, 11 : 1 : 1680, before Wm. Hathorne,* assistant.

Wibrough Gatchell, aged about sixty-six years, testified that the goods properly belonged to her son, Samuëll Gatchell, etc. Sworn, 2 : 2 : 1679, before Edm. Batter,* commissioner.

Writ: Thomas Flint v. John Pudney; for carrying away five or six hundred feet of his boards from the saw mill without his consent; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of defendant's orchard, leaving the summons with his son.

Thomas Cartrite, aged about seventeen years, testified that, in 1677, being in Thomas Flint's house with Hop Chapman, John Pudney and his wife, he came and asked that Flint let them have the horse again which they had sold him for boards, in lieu of the boards. Sworn, 11 : 3 : 1680, in the Commissioners court.

Hoope Chapman, aged about twenty-five years, deposed the same. Sworn, 11 : 3 : 1680, in the Commissioners court.

Mary Cory, aged about fifty years, testified that Pudney told her that he was glad to get his horse again because he could get no boards. Sworn, 11 : 3 : 1680.

Daniel Suthicke, aged about forty-two years, deposed that he was at Thomas Flint's sawmill when Isacke Cooke and Thomas Maul were there. He turned up a board and asked to buy it of Flint, but the latter said it was Pudney's board. Later he bought it of Pudney and laid it on top of a heap of boards. Attested in the presence of God, 11 : 3 : 1680.

Thomas Cartrite, aged about seventeen years, deposed that the boards were carried to Pudney's house, some of them being used for fence around his tobacco. He was sent by Flint with his cart and oxen to Pudney's house to get the boards, but the latter would not let him have them. Sworn, 11 : 3 : 1680.

Thomas Maule, aged about thirty-two years, deposed that Goody Pudney said at the sawmill that the boards had not been good, and Flint replied that they were as good as the horse, and he would give her 200 feet of boards to take the horse back. Attested in the presence of God, 11 : 3 : 1680, before the Commissioners.

John Bates, aged about thirty-eight years, testified that he lived near Flint's sawmill in 1677, etc. Sworn, 11 : 3 : 1680.

Martha Bates, aged about thirty-one years, testified the same. Pudney said that Flint could have his boards again as soon as his tobacco was cut up. Sworn, 11 : 3 : 1680.

John Parkar, aged about forty-five years, testified. Sworn, 11 : 3 : 1680.

Thomas Flint's bill of cost, 1li. 11s. 4d.

Robert Moulton, aged about thirty-four years, deposed. Sworn, 11 : 3 : 1680.

* Autograph.

Isacke Cooke, aged forty years, testified. Sworn, 1 : 3 : 1680.

Writ: Richard Reade v. Edward Wooland, jr.; trespass, for killing or abusing his dog; dated 4 : 3 : 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Tho. Ives,* constable of Salem. Bond of Edward (his mark) Wooland, sr.

Ricrd. Reade's bill of cost, 13s.

Enise Poape, aged about seventeen years, deposed that being in company with Edward Wolland, jr., at the widow Lake's about some private business, John Colover, Mathew Dove and Richerd Reade came into the room and insisted upon staying in the room. Sworn, 11 : 3 : 1680.

Jno. Collier, aged about twenty-five years, deposed that at widow Lake's house, he saw Edward Wooland, jr., stab Read's dog with a rapier or sword. Mathew Dove, aged sixty-nine years, deposed. Sworn, 11 : 3 : 1680.

Zebolone Hill, aged about twenty-five years, deposed that he was with Wooland at the widow Lake's, etc. Sworn, 11 : 3 : 1680.

Writ of replevin, dated 3 : 3 : 1680, for three cows of John Rowden's impounded by Joseph Foster, signed by Hilliard Veren,* for the court and town of Salem, and served by Henry Skerry,* marshal of Salem.

Summons, dated May 10, 1680, to Hugh Joanes, Samuell Marsh and Samuell Foster, as witnesses, signed by Hilliard Veren,* for the court and town of Salem, and no return made.

John Rowdon's bill of cost, 20li.

At a meeting of the proprietors, Mar. 2, 1679-80, it was voted that parties impounding horses, horse kind or swine should receive 2s. per head, for neat cattle, 1s., and for sheep, 6d. Copy made by Nathaniel Felton,* clericus.

Jorg (his mark) Jacob certified in 1679-80, that he let Joseph Foster a house and land last year and this year also.

Samll. Marsh, aged twenty-seven years, testified that Joseph Foster came to his house about sunrise and asked him when he should pay deponent the day's work he owed him, and he told him the next week. Then he saw cattle in the field upon Robert Fuller's lot, which deponent knew to be John Rowden's cattle. Foster drove them away to pound. Deponent told him to let them alone, that the man was a poor man. A while after, Dan. Poole left word at the house that deponent's fence was down, and he found the three upper rails out of the mortice at one end, lying loose together near the ground. Sworn, 11 : 3 : 1680.

Daniel Poole, aged twenty-five years, testified that the night before the cattle were impounded, they were in the common between their house and the house of Isacke Read. In the morning they were gone and they supposed they were in the woods. Then going for their horse in the orchard to plow, the horse was gone, two draw bars down and the upper rail thrown aside. He traced the tracks of the cattle and a man with French fall shoes on the ploughed land of Robert Fuller in the North field. Sworn, 11 : 3 : 1680.

Margaret, wife of Robert Fuller, certified that she acquitted John Rowden of all damage done by his cattle.

Hugh Jones, aged forty years, testified. Sworn, 11 : 3 : 1680.

Nathaniel Felton, aged sixty-four years, deposed that he viewed the damage to the fence, etc. Sworn, 11 : 3 : 1680.

Benjamin Fuller, aged about twenty-two years, deposed that he was at work with Isesock Reede when Danniell Pole came and inquired for his horse. Then Sammuell Maish came, etc. Sworn, 11 : 3 : 1680.

Writ: Mr. Steephen Haskett v. Samuell Pearce; debt; paid him upon account by Mr. William Hubburt; dated 28 : 2 : 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of a horse of defendant.

"M^r Verin:

"Pray sen me by m^r Booth or some faithfull messenger that Comes to Boston the Coppy of Cap^t Breedens deed of sayle to me of the q^t part of o^r

* Autograph.

Iron works that he was partner in with me. this with the rest favo^r me in
I shall not fayle God helpinge to satisfye yu to Content S^r

"from the prisson at Yours at Command

"Boston May 8th 80.

John Gifford."*

Warrant, dated Apr. 27, 1680, for the appearance of Joseph Gray, for frequently absenting himself from the public ordinances on the Lord's days, also for Mathew Nixon, for drunkenness, and for Leift. Jeremiah Neale, as a witness, signed by Hilliard Veren,* cleric, and served by Tho. Ives,* constable of Salem.

Warrant, dated June 3, 1680, for Joseph Gray, for absence from the ordinances, Mathew Nixon, for drunkenness, Joseph, the mulatto, for excessive drinking and making a disturbance in the street, Joseph Gatchell, for abusing Leift. Neale, George Thomas, for abusing Jeremiah Neale, also for Jeremiah Neale, Edward Woollen, Thomas Ives and Thomas Searles, as witnesses, signed by Hilliard Veren,* cleric, and served by Peter Cheevers,* constable of Salem.

Georg Thomas, aged about forty years, deposed that some years since he saw Jeremy Neale much disguised with drink, staggering, etc. Sworn, Apr. 29, 1680, before Edm. Batter, commissioner. Copy made, June 14, 1680, by Daniel Denison.*

John Deale and Joseph Neall said that they heard Joseph Gatchell abuse Jeremiah Neale, calling him dog, at his own door. Sworn, 15 : 4 : 1680.

Daniell King* certified, in 1680, that he was at Boston when Goodman Wolland accused his negro boy of some words that were distasteful to him. When said King came home he questioned the boy and he denied it, so there was only said Wolland's word for it.

Writ: Samuell Wakefield v. Henry Kenne, sr.; debt; due for tailor's work, and some goods and stuff put in; dated May 15, 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of land near Kenny's house.

Order given by Henry (his mark) Kiney to Samuell Brown to pay to bearer, 50s., on his account. Samuell Wakefield owned that he accepted it, before Bartho. Gedney,* commissioner.

Agreement between Henry Kenny and Samuel Wakefield: said Wakefield was to make him a kersey coat for 4s., a waistcoat for his wife for 4s., a gown for Mary Kenny for 12s., a waistcoat for one of his daughters, no price agreed upon. He paid him in 13 pounds of bacon at 6d. per, 5 pounds of butter, 3 bushel of Indian corn, 2 fowls, 2s. by Thomas Kenny and 18d. at Mr. Lindall's. Henry Kenny's wife said that when she brought her waistcoat from Wakefield's, he said the making came to 4s.

Henry Kenny said that when he was at Newbery, James Browne, the glazier, affirmed that there was a debt due from Richard Harris, brother of Sam. Wakefield, to Sam. Browne, which would balance the account, but Harris refused to pay it to any one but his brother Wakefield.

Henry Kenny affirmed that whereas Sam. Browne, the butcher, owed him 50s., he spoke to Sam. Wakefield about it who said he would take it up in meat and pay in English goods. Kenny brought Brown to Wakefield's house, where they agreed upon the price of the meat. Kenny then bought of Sam. Wakefield a parcel of stuff, etc.

Mery Pilsbury, aged twenty years, testified on Feb. 12, 1679, that, being with her father at Samuell Weckfild's of Salem, she heard her father tell him to look after Samuell Brown of Salem for the pay, for he had come from the eastward not expecting to hear of him. Wakefield replied that he was well enough off for he had received half of it and knew where he could get the rest. This was some time before he delivered the gown to deponent's father, etc. Sworn, May 26, 1680, before Jo. Woodbridge,* commissioner.

Account taken from Samuell Browne's book by his brother, James Browne, relating to Samuell Wakefeald: from 15 : 5 : 1677 to 19 : 8 : 1677, due, 4s. 7d., and also for beef, mutton and lamb. Compared with the book, May 26,

* Autograph.

1680, by Jo. Woodbridge,* commissioner. James Browne testified that Wakefield tried to persuade him to order Wakefield's brother Haris to pay it, etc. Sworn, at Newbery, May 26, 1680, before Jo. Woodbridge,* commissioner.

Hannah Browne, aged about thirty-two years, testified that Samuel Wakefield came to their house when they lived at Salem and told her husband, James Browne, in her hearing, etc. Sworn, May 26, 1680, before Jo. Woodbridge,* commissioner.

Samuell Wakefield's bill of cost, 1li. 1s.

Nathinel Putnam, aged about sixty years, deposed. Sworn, 5 : 4 : 1679.

Writ: John Pudney v. Moses Eborne and Anthony Needham; trespass; for mowing grass and carrying it away from his land, hired of Edw. Raynesbury; dated July 22, 1680; signed by Hilliard Veren,* for the court and town of Salem, and served by Henry Skerry,* marshal of Salem.

John Pudny's bill of cost, 1li. 18s. 8d.

Summons, dated July 22, 1680, to Moses Eborne and Anthony Needham, signed by Hilliard Veren,* for the court and town of Salem.

Edw. Rainborow,* on Apr. 22, 1678, leased to John Blethen and John Pudney, both of Salem, husbandmen, meadow land, for seven years, said lease to be dissolved if he wished to use the farm himself or sold it. Wit: Thomas Marshall* and John Severne.*

John Trask, aged about thirty-eight years, and Samuell Aborne, aged about forty years, deposed that Major Ransbery rented to John Pudnye the house, meadows and orchard on the farm formerly called Mr. Humphry's. Sworn, 3 : 6 : 1680.

Thomas Goold, aged about fifty years, and Samuell Aborne, aged about forty years, deposed that the grass carried away was worth 10s., etc. Sworn, 3 : 6 : 1680.

Bond, dated Apr. 22, 1678, given by John Pudne* of Salem, husbandman, to Edw. Rainborow, gentleman, for the payment of 55s. per year for rent of Long meadow, the meadow called Miry mead and Barne meadow, with an orchard, the money to be paid on Dec. 25. Wit: Jno. Curwin* and Thomas Marshall.*

John Putnam, sr., deposed that Moses Eborn mowed grass for Corporall Nedhame on the farm in controversy, which was the farm where Left. Gorg Gardner formerly dwelt, etc. Sworn, 3 : 6 : 1680.

Frances Nurce testified. Thomas Howard also testified. Sworn, 3 : 6 : 1680.

Moses Aborne, aged about thirty-five years, deposed concerning mowing. John Pudny, jr., aged about seventeen years, deposed. Sworn, 3 : 6 : 1680.

Abigell, wife of Moses Aborne, deposed. Sworn, 3 : 6 : 1680.

Summons, dated July 22, 1680, to Moses Eborne and Anthony Needham, on complaint of Henry Cook and Robert Pease, for trespass in carrying away grass on land which they hired of Major Rainsbury, signed by Hilliard Veren,* for the court and town of Salem.

Henry Cook's bill of cost, 1li. 18s. 4d.

Writ, in the same action, returned by Henry Skerry,* marshal of Salem.

Bond, dated Apr. 22, 1678, given by Henry Cook* and Robbart Pease* to Edw. Rainborow, for the payment of 40s. per year, for the rent of "Fairther" Stone's meadow, to be paid on Dec. 25. Wit: Moses Aborne* and John Trask.* Sworn, 3 : 6 : 1680.

Moses Aborne, aged about thirty-five years, deposed. Sworn, 3 : 6 : 1680.

Frances Nurss, aged about sixty years, and Thomas Haywood, aged about thirty-seven years, deposed. Sworn, 3 : 6 : 1680.

Thomas Goold, aged about fifty years, and Samuell Aborne, aged about forty years, deposed that this land was about an acre and a quarter. Sworn, 3 : 6 : 1680.

Copy of a General Court record of a court held at New Towne, May 6, 1635: "There is (500) five hundred acres of land & a fresh pond wth a litle

* Autograph.

Island Containing about two acres, granted to John Humfrey Esq^r lying betwixt there & west from Saugus Provided he take no part of the 500 acres within 5 myles of any Towne now planted. Also It is Agreed that the Inhabitants of Saugus & Salem shall have liberty to build storehouses upon the said Island and to lay in such provisions as they Judge necessary for their use in time of neede." Copy made by Edward Rawson,* secretary.

Lease, dated Apr. 22, 1678, given by Edw. Rainborow* of Boston, gentleman, to Henery Cooke and Robart Peese, for this meadow. Wit: Moses Aborne* and John Trask.* Sworn, 3 : 6 : 1680.

Writ: Mr. Edmond Batter v. William Buckley; debt, due from his son Thomas, late deceased, which said William was engaged to pay; dated July 26, 1680; signed by Hilliard Veren,* for the court and town of Salem; and served by Henry Skerry,* marshal of Salem, by attachment of a long table and a great chest of William Buckley.

Jeremiah Gatchell,* Aug. 2, 1680, acknowledged judgment to Mr. Edmond Batter. Joseph Gatchell, his brother, was to settle it for him. Wit: Joseph Gatchell* and John Marshall.*

* Autograph.

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